I can't access? can you?

On Jun 30, 2010, at 9:55 AM, Alexis Gutierrez wrote:

From: Mark Dodd <Mark.Dodd@dnr.state.ga.us>
Date: June 24, 2010 9:02:31 PM CDT
To: Alexis.Gutierrez@noaa.gov
Cc: Sara.McNulty@noaa.gov
Subject: photos

Alexis,

I have uploaded some photos from my time with the burn unit to Georgia DNR's ftp site. I still cannot get the video loaded. Sorry. I will keep trying.

Go to ftp://ftpx.state.dnr.ga.us

go to page and click open ftp site with windows explorer

Username: amackinnon
Password: coastal*man

Look in the amackinnon folder for photos
(Adam Mackinnon is my technician)

The photo entitled "material in the boom at ignition" is helpful. The photo shows approx. half of the u-shaped boom, you can see one end of the boom in the background. Usually they try to burn if the boom is half full of material which you can see in the photo. The photo gives you a sense of how easy it would be to survey the material from the ignition boat before burning. It would be very similar to surveying a weedline.

The photo "trawlers with boom 2 "gives you a sense of how the trawlers and boom work. You can imagine the trawlers moving ahead at ½ knot. My impression is that the trawlers are too far apart for an observer on one of the trawlers to survey all the material moving past into the boom. It makes more sense to have an observer in the ignition boat.

The other photos speak for themselves.

Could you forward this to Barbara and Blair. Also, please let me know if

when you get this. I am having trouble with my e-mail. Thanks.

Mark

Mark G. Dodd
Georgia Sea Turtle Program Coordinator
Georgia Department of Natural Resources
One Conservation Way
Brunswick, GA 31520-8687
Office (912) 280-6892
Cell [redacted] (b) (6)
email: Mark_Dodd@dnr.state.ga.us

From: John Carlson <John.Carlson@noaa.gov>
Subject: **NMFS-approved observers**
Date: July 1, 2010 1:00:51 PM CDT
To: David Bernhart <david.bernhart@noaa.gov>, robert.hoffman@noaa.gov
Cc: Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>, lukes@aisobservers.com, James Nance <James.M.Nance@noaa.gov>, eric.hawk@noaa.gov, barbara.schroeder@noaa.gov

Bob/David

Two questions:

Do we want the observers deployed on skimmer or burn vessels to monitor turtle take in the oil spill areas to be qualified as "NMFS-approved".. As a background, all "NMFS-approved" observers must undertake a standard AMSEA at-sea safety course, possess 1st aid and CPR certification, and in these circumstances have the 24 hr HAZWOPPER course. This training normally takes 3-5 days.

How flexible de we want the qualifications for these "observers" to be?

Second question, what are you looking at for a level of coverage. Putting on my science hat are you looking for levels equal to that that would give us a take estimate with a CV=0.3?

John

John K. Carlson, Ph.D.
NOAA Fisheries Service
Southeast Fisheries Science Center
3500 Delwood Beach Rd.
Panama City, FL 32408
850-234-6541 ext 221
john.carlson@noaa.gov

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Fwd: NMFS-approved observers**
Date: July 1, 2010 1:32:29 PM CDT
To: Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>

▶ 1 Attachment, 0.3 KB

fyi.

Begin forwarded message:

From: "Eric G. Hawk" <Eric.Hawk@noaa.gov>
Date: July 1, 2010 1:29:59 PM CDT
To: John Carlson <John.Carlson@noaa.gov>
Cc: David Bernhart <David.Bernhart@noaa.gov>, Robert Hoffman <Robert.Hoffman@noaa.gov>
Subject: Re: NMFS-approved observers

John, I will answer for David and Bob, and they can correct me if necessary. We DON'T want the observers deployed on skimmer or burn vessels to monitor turtle take in the oil spill areas to be qualified as "NMFS-approved." Seems like stupendous overkill. FYI, our definition of NMFS-approved observers, which we require for endangered species observers aboard hopper dredges, is very different from yours. our is only that they undergo a screening for their expertise in sea turtle identification, experience with stranding networks, academic qualifications, etc. We used to review their credentials/resumes here at SER, then we did it jointly with NER, now we let them do it. **There is no requirement for first aid, safety-at-sea, HAZWOPER, etc., and no need either.** The COE knows that any ESO's on board hopper dredges have to be previously "NMFS-approved", as per the terms of the biops (and our PRD definition of "approved" is not the same as the one you just gave).
In summary, we would not require all that stuff just for guys deployed on skimmer or burn vessels.

John Carlson wrote:

> Bob/David
>
> Two questions:
>
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> How flexible de we want the qualifications for these "observers" to be?
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> Second question, what are you looking at for a level of coverage. Putting on my science hat are you looking for levels equal to that that would give us a take estimate with a CV=0.3?

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3500 Delwood Beach Rd.
Panama City, FL 32408
850-234-6541 ext 221
john.carlson@noaa.gov

eric_hawk.vcf (0.3 KB)

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Re: NMFS-approved observers**
Date: July 1, 2010 1:50:30 PM CDT
To: "Eric G. Hawk" <Eric.Hawk@noaa.gov>
Cc: David Bernhart <David.Bernhart@noaa.gov>, Robert Hoffman <Robert.Hoffman@noaa.gov>, Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>

irrespective of the category of "NMFS approved observer", we have standard requirements and training we employ to ensure the individuals are "safe" when they are at sea. if I understand you correctly, are you proposing that individuals we place on skimmer or burn vessels have no "safety" training what so ever?

On Jul 1, 2010, at 1:29 PM, Eric G. Hawk wrote:

> John, I will answer for David and Bob, and they can correct me if necessary. We DON'T want the observers deployed on skimmer or burn vessels to monitor turtle take in the oil spill areas to be qualified as "NMFS-approved." Seems like stupendous overkill. FYI, our definition of NMFS-approved observers, which we require for endangered species observers aboard hopper dredges, is very different from yours. our is only that they undergo a screening for their expertise in sea turtle identification, experience with stranding networks, academic qualifications, etc. We used to review their credentials/resumes here at SER, then we did it jointly with NER, now we let them do it. **There is no requirement for first aid, safety-at-sea, HAZWOPER, etc., and no need either.** The COE knows that any ESO's on board hopper dredges have to be previously "NMFS-approved", as per the terms of the biops (and our PRD definition of "approved" is not the same as the one you just gave).
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From: John Carlson <John.Carlson@noaa.gov>
Subject: **Re: NMFS-approved observers**
Date: July 1, 2010 3:30:45 PM CDT
To: "Eric G. Hawk" <Eric.Hawk@noaa.gov>
Cc: David Bernhart <David.Bernhart@noaa.gov>, Robert Hoffman <Robert.Hoffman@noaa.gov>, Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>

obviously with already trained observers the issue of training is irrelevant. my concern was any new hires with no training and how much training they would need given the task.

On Jul 1, 2010, at 2:12 PM, Eric G. Hawk wrote:

> John,
> Not exacatly. It is my understanding that these observers are needed immediately in part because of concerns that in-situ burning is allegedly currently frying sea turtles. Heard that story related by the Venice LA shrimp boat captain on U-tube and also heard that it was corroborated by Blair Witherington, but have not spoken with Blair. So, what is the on scene-situation? Are there currently-existing up-and-running mechanisms to train these people "properly", i.e., to meet your definition of NMFS-approved, quickly? If there are enough people already trained to the "NMFS-approved" spec to respond to the current needs, then I would use them. In the absence of individuals having that level of "expertise" and if the need is great and immediate, then I am saying that all that training is not necessary and could be given at a later date, perhaps after their first rotation. Certainly we want people to be safe at sea, but, mandatory first-aid training, is that really necessary? HAZWOPER ios necessary, clearly, but how much? A briefing on safety at sea, and knowing how to climb into a survival suit, is important, and how to avoid contacting/contaminating oneself or others with oil is certainly in order pre-deployment. Aside from the HAZWOPER, that's all that visiting scientists on NOAA ships are required, the last time I checked. I would fill the necessary vacancies that need immediate filling,, and then start the training, but not delay the deployment of observers until they all have have all the training. Is that workable?.
>
> John Carlson wrote:
> > irrespective of the category of "NMFS approved observer", we have standard requirements and training we employ to ensure the individuals are "safe" when they are at sea. if I understand you correctly, are you proposing that individuals we place on skimmer or burn vessels have no "safety" training what so ever?
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expertise in sea turtle identification, experience with stranding networks, academic qualifications, etc. We used to review their credentials/resumes here at SER, then we did it jointly with NER, now we let them do it. **There is no requirement for first aid, safety-at-sea, HAZWOPER, etc., and no need either.** The COE knows that any ESO's on board hopper dredges have to be previously "NMFS-approved", as per the terms of the biops (and our PRD definition of "approved" is not the same as the one you just gave).
In summary, we would not require all that stuff just for guys deployed on skimmer or burn vessels.

John Carlson wrote:

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> John
>
> ---
> John K. Carlson, Ph.D.
> NOAA Fisheries Service
> Southeast Fisheries Science Center
> 3500 Delwood Beach Rd.
> Panama City, FL 32408
> 850-234-6541 ext 221
> john.carlson@noaa.gov
>
> <eric_hawk.vcf>

<eric_hawk.vcf>

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Re: Skimmer Forms**
Date: July 2, 2010 11:46:43 AM CDT
To: Mark Dodd <Mark.Dodd@dnr.state.ga.us>

▶ 2 Attachments, 294 KB

Mark

Marine Speci...doc (32.0 KB)Marine Speci....doc (262 KB)
data sheets and documentation attached

here is my FTP site: http://public.me.com/jc0521

thanks for your help

John

On Jul 2, 2010, at 11:34 AM, Mark Dodd wrote:

> John or Luke,
>
> I am working on a powerpoint for in-situ burn team observer training. Could you send me your most recent version of the data sheet? Thanks.
>
> Mark
>
> Mark G. Dodd
> Georgia Sea Turtle Program Coordinator
> Georgia Department of Natural Resources
> One Conservation Way
> Brunswick, GA 31520-8687
> Office (912) 280-6892
> Cell (912) 269-4019
> email: Mark_Dodd@dnr.state.ga.us
>
> | | | John Carlson <John.Carlson@noaa.gov> 6/30/2010 5:54 PM >>>
> Luke and I have modified the observer data form based on discussion we have had today. let me know if you have any comments

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

MARINE SPECIES OBSERVATION FORM	ANIMALS SIGHTED: Y OR N ANIMALS RETRIEVED: Y OR N
OBSERVER #:	PAGE ____ OF ____
TRIP #:	DATE (MM/DD/YY):
SURVEY #:	SKIMMER TYPE:
OBSERVATION PLATFORM:	

LOCATION		
	START LAT/LONG (DD.MM.mmm)	START TIME(24hr)
	END LAT/LONG (DD.MM.mmm)	END TIME(24hr)

SOURCE ☐ NON-SOURCE ☐ NEAR SHORE ☐ BEACH ☐

TARGET OIL		HABITAT TYPES		
HEAVY (dark black/brown)	☐	SARGASSUM WEEDLINE: OIL ☐ NO OIL ☐		OIL LINE NO SARGASSUM ☐
MEDIUM (brown to peanut color)	☐	DISPERSED SARGASSUM: OIL ☐ NO OIL ☐		OTHER:
LIGHT (silver/rainbow sheen, metallic brn)	☐	HEAVY CONTINUOUS OIL NO SARGASSUM	☐	
Emulsified (orange)	☐	DISPERSED PATCHES OF OIL NO SARGASSUM	☐	

LENGTH OF BOOM (FT):		SKIRT HIEGHT (INCHES):
START BURN TIME (24hr):	WEATHER DESCRIPTION	VISIBILITY (FT):
		SEA STATE:

ANIMAL OBSERVATION SUMMARY

ANIMAL TYPE	NUMBER OF ANIMALS	
	ALIVE	DECEASED
Sea turtles		
Dolphins		
Whales		
Manatees		
Sea birds		
Other (Specify):		

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

SIGHTING AND RETRIEVALS- ADDITIONAL INFORMATION

SPEC. #	SPECIES	CONDITION	PHOTOS (Y OR N)	LATITUDE	LONGITUDE	SURVEY PHASE	Comment (Y or N)

COMMENTS (Describe any interactions with equipment, species identification characteristics, behaviorial characteristics, ect.):

SPECIMEN DELIVERY INFORMATION

Date Speciment Delivered	Vessel/Organization Name	Name of Individual Receiving

The Marine Species Observation Form has been developed to document information pertaining to the sightings and retrieval of marine species during at-sea operations. The data forms are to be completed by the observer during each dedicated survey. The form will be used for all marine operations involving visual observers. In the event that a field is not applicable indicate this by writing "N/A". In the event that information is unobtainable or unknown write "UK" in the corresponding field and describe the circumstances in the comment section of the data form.

Animals Sighted: Circle yes or no to indicate if any animals were sighted during surveys associated with marine operations.

Animals Retrieved: Circle yes or no to indicate if any animals were retrieved during the course of the marine operation.

Observer #: This is a unique number assigned to each observer by the contractor. e.g. C45

Page ____ of ____: This field is used link all documents associated with each marine operation. Pages should be numbered consecutively and arranged in the order that sightings or retrievals occur during each survey.

Trip #: Trip numbers will be three digit numbers designated by the number of trips the observer has completed as part of this program. For example observer C45's first trip will be 001, the second trip will be 002 and so forth.

Survey #: This is a three digit number assigned by the observer on a trip basis for each of the surveys completed during a trip. A survey is an observation event focused on a single marine effort such as surface skimming or surface burning.

Date: Enter the date that the survey is commenced.

Vessel Name: Indicate the name of the vessel from which observations are being completed.

Type: Indicate the type of vessel from which the observations are being completed.

Location: The fields contained in this section of the data form will capture the start and end position and time relative to the survey platform in which the observer is completing the visual observation and species retrieval. Additional elements such as general location, qualitative description of the oil and habitat type will also be recorded by checking the most appropriate box.

Length of Boom: Recorded in feet this figure should be obtained by asking the Captains of the vessels towing the boom or from the burn team.

Skirt Height: Recorded in inches this field should be obtained from the Captains of the vessels towing the boom or from the burn team.

Start Burn Time: Using the 24hour clock format record the time that the burn in initiated by the burn team.

Weather Description: Indicate one of the following weather conditions: unknown, clear, partly cloudy, continuous layer of clouds, drizzle, rain, showers, thunderstorms, rain and fog, fog or thick haze, or other with a description in the comments section.

Visibility: Estimate in feet the distance of clear visibility across the survey area.

Sea State: Using the Beaufort scale describe the sea state present during the survey.

Animal Observation Summary: This section is used to summarize the condition of each type of animal encountered during a survey.

Sighting and Retrieval-Additional Information: This section is used to log each specimen encountered during the survey.

Spec. #: Indicate the three digit specimen number assigned by the observer on a per survey basis for each animal sighted and/or retrieved during the survey.

Species: Indicate the common name of the species sighted and/or retrieved.

Condition: Note whether the animal was alive "A", deceased "D", or unknown "UK" upon sighting and separated by a hyphen whether the animal was retrieved "R" or stayed "S" at sea. For example if a live animal is encountered and it is retrieved the observer would indicate A-R in the condition field. If the animal is not retrieved and stays at sea the observer must use the comment section do describe the circumstances for leaving the animal at sea.

Photos: Indicate with a "Y" or "N" if digital images of the specimen were taken.

Latitude and Longitude: Using the format of DD.MM.mmm indicate the position of the vessel when the animal is retrieved. In the event that an animal is not retrieved indicate the position of the survey vessel, approximate the distance to the animal in feet and indicate the information in the comment section.

Survey phase: Indicate one of the following:

1. survey of material in front of trawlers
2. survey of material in boomed area
3. survey of material trawling behind boom

Comments: Indicate with a "Y" or a "N" whether coments have been included pertaining to the specimen.

Comments: This section should be used to document all observed interactions between animals and gear, list key identification characteristics, to describe behavioral characteristics and any other notable information pertaining to the survey. All information relative to a specimen should be identified by the specimen number.

Specimen Delivery Information: This section is used to document the chain of custody for all specimens that are either transferred at sea or delivered to a shore based facility.

Date Specimen Delivered: Indicate the data that the specimen was transferred or delivered (mm/dd/yy).

Vessel/Organization Name: Indicate the name of the vessel or organization that receives the specimen.

Name of Receiving Individual: Indicate the name of the individual that takes possession of the specimen.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Re: Please send me the GA recommendations ASAP**
Date: July 2, 2010 4:00:41 PM CDT
To: Joe Dillon <Joseph.J.Dillon@noaa.gov>
Cc: Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>
▸ 3 Attachments, 316 KB

Joe

observer protocol attached with data sheets and documentation

John

Marine Speci...doc (32.0 KB)

Marine Speci....doc (262 KB)

Observer pr....doc (22.5 KB)

On Jul 2, 2010, at 3:19 PM, Joe Dillon wrote:

> Thanks. I've included the Hoffman e-mail that I spoke about today. Hopefully there isn't too much more than what is here. So much for getting one system set up and avoiding duplication of effort!! The best laid plans . . .
>
> ---
>
> **From:** John Carlson [mailto:John.Carlson@noaa.gov]
> **Sent:** Friday, July 02, 2010 3:10 PM
> **To:** Joe Dillon
> **Cc:** Alexis Gutierrez
> **Subject:** Re: Please send me the GA recommendations ASAP
>
> John
> I'm working on finalizing the observer protocol and will email it asap
>
> John

John K. Carlson, Ph.D.
NOAA Fisheries Service
Southeast Fisheries Science Center
3500 Delwood Beach Rd.
Panama City, FL 32408
850-234-6541 ext 221
john.carlson@noaa.gov

On Jul 2, 2010, at 2:48 PM, Joe Dillon wrote:

Hi John,

I've got the BMPs that Bob Hoffman developed pulled up. Can you please send me the GA biologist recommendations so that I can compare them?

Thank you!!!

Joe

<Hoffman email 6-15-10.pdf>

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Observer #: This is a unique number assigned to each observer by the contractor. e.g. C45

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Date: Enter the date that the survey is commenced.

Vessel Name: Indicate the name of the vessel from which observations are being completed.

Type: Indicate the type of vessel from which the observations are being completed.

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Animal Observation Summary: This section is used to summarize the condition of each type of animal encountered during a survey.

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Spec. #: Indicate the three digit specimen number assigned by the observer on a per survey basis for each animal sighted and/or retrieved during the survey.

Species: Indicate the common name of the species sighted and/or retrieved.

Condition: Note whether the animal was alive "A", deceased "D", or unknown "UK" upon sighting and separated by a hyphen whether the animal was retrieved "R" or stayed "S" at sea. For example if a live animal is encountered and it is retrieved the observer would indicate A-R in the condition field. If the animal is not retrieved and stays at sea the observer must use the comment section do describe the circumstances for leaving the animal at sea.

Photos: Indicate with a "Y" or "N" if digital images of the specimen were taken.

Latitude and Longitude: Using the format of DD.MM.mmm indicate the position of the vessel when the animal is retrieved. In the event that an animal is not retrieved indicate the position of the survey vessel, approximate the distance to the animal in feet and indicate the information in the comment section.

Survey phase: Indicate one of the following:

1. survey of material in front of trawlers
2. survey of material in boomed area
3. survey of material trawling behind boom

Comments: Indicate with a "Y" or a "N" whether coments have been included pertaining to the specimen.

Comments: This section should be used to document all observed interactions between animals and gear, list key identification characteristics, to describe behavioral characteristics and any other notable information pertaining to the survey. All information relative to a specimen should be identified by the specimen number.

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OBSERVER #:	PAGE ____ OF ____
TRIP #:	DATE (MM/DD/YY):
SURVEY #:	SKIMMER TYPE:
OBSERVATION PLATFORM:	

LOCATION	START LAT/LONG (DD.MM.mmm)	START TIME(24hr)
	END LAT/LONG (DD.MM.mmm)	END TIME(24hr)

SOURCE ☐ NON-SOURCE ☐ NEAR SHORE ☐ BEACH ☐

TARGET OIL	HABITAT TYPES		
HEAVY (dark black/brown) ☐	SARGASSUM WEEDLINE: OIL ☐ NO OIL ☐	OIL LINE NO SARGASSUM ☐	
MEDIUM (brown to peanut color) ☐	DISPERSED SARGASSUM: OIL ☐ NO OIL ☐	OTHER:	
LIGHT (silver/rainbow sheen, metallic brn) ☐	HEAVY CONTINUOUS OIL NO SARGASSUM ☐		
Emulsified (orange) ☐	DISPERSED PATCHES OF OIL NO SARGASSUM ☐		

LENGTH OF BOOM (FT):		SKIRT HIEGHT (INCHES):
START BURN TIME (24hr):	WEATHER DESCRIPTION	VISIBILITY (FT):
		SEA STATE:

ANIMAL OBSERVATION SUMMARY

ANIMAL TYPE	NUMBER OF ANIMALS	
	ALIVE	DECEASED
Sea turtles		
Dolphins		
Whales		
Manatees		
Sea birds		
Other (Specify):		

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SIGHTING AND RETRIEVALS- ADDITIONAL INFORMATION

SPEC. #	SPECIES	CONDITION	PHOTOS (Y OR N)	LATITUDE	LONGITUDE	SURVEY PHASE	Comment (Y or N)

COMMENTS (Describe any interactions with equipment, species identification characteristics, behaviorial characteristics, ect.):

SPECIMEN DELIVERY INFORMATION

Date Speciment Delivered	**Vessel/Organization Name**	**Name of Individual Receiving**

OBSERVER PROTOCOL

A Burn Unit includes a pair of trawlers pulling a boom, an ignition boat, and a support vessel (crew boat). As part of the general oil collection operations paired trawlers pull a 500' boom at approximately 0.5 knots to concentrate oil for burning. Once ignition boat personnel determine the oil is ready for ignition, a sea turtle survey will be initiated.

The observer will be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. A general header data collection sheet (attachment 1) will be filled out by the observer that includes information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey.

Sea turtles that cannot be captured due to their proximity to the booms or edge of the oil spill with be recorded as mortalities. Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to transport the sea turtle back to land.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Fwd: Please send me the GA recommendations ASAP**
Date: July 2, 2010 4:37:50 PM CDT
To: lukes@aisobservers.com

▶ 3 Attachments, 316 KB

Begin forwarded message:

From: Joe Dillon <Joseph.J.Dillon@noaa.gov>
Date: July 2, 2010 4:21:57 PM CDT
To: patrick.j.grace@uscg.mil, daine.h.breithaupt@uscg.mil
Cc: 'David Bernhart' <David.Bernhart@noaa.gov>, 'Alexis Gutierrez' <Alexis.Gutierrez@noaa.gov>, 'Teri Rowles' <Teri.Rowles@noaa.gov>, Jessica.Powell@noaa.gov, 'John Carlson' <John.Carlson@noaa.gov>, Elizabeth.Jones@noaa.gov, 'Ed Levine' <Ed.Levine@noaa.gov>, Charlie.Henry@noaa.gov, William.Whitmore@noaa.gov, 'Robert Hoffman' <Robert.Hoffman@noaa.gov>
Subject: FW: Please send me the GA recommendations ASAP

Patrick and Diane,

Attached are the observer protocols with datasheets and documentation as well as the Best Management Practices transmitted to the Environmental Unit at the Unified Command on 6-15-10. These documents seem perfectly compatible with each other although I suggest clarifying with John Carlson and Alexis Gutierrez on the two observation forms. They may want to incorporate the "water oiling condition" data gathering requirement onto the more recently developed form.

I only have Bob's BMPs as a pdf I'm afraid, but I suggest presenting all this to the plaintiffs as the plan to minimize harm to sea turtles from in-situ burning.

Thank you,
Joe Dillon

From: John Carlson [mailto:John.Carlson@noaa.gov]
Sent: Friday, July 02, 2010 4:01 PM
To: Joe Dillon
Cc: Alexis Gutierrez
Subject: Re: Please send me the GA recommendations ASAP

Joe

observer protocol attached with data sheets and documentation

John

Marine Speci...doc (32.0 KB)

Marine Speci....doc (262 KB)

Observer pr....doc (22.5 KB)

On Jul 2, 2010, at 3:19 PM, Joe Dillon wrote:

Thanks. I,ve included the Hoffman e-mail that I spoke about today. Hopefully there isn,t too much more than what is here. So much for getting one system set up and avoiding duplication of effort!! The best laid plans . . .

From: John Carlson [mailto:John.Carlson@noaa.gov]
Sent: Friday, July 02, 2010 3:10 PM
To: Joe Dillon
Cc: Alexis Gutierrez
Subject: Re: Please send me the GA recommendations ASAP

John
I'm working on finalizing the observer protocol and will email it asap

John

John K. Carlson, Ph.D.
NOAA Fisheries Service
Southeast Fisheries Science Center
3500 Delwood Beach Rd.
Panama City, FL 32408

OBSERVER PROTOCOL

A Burn Unit includes a pair of trawlers pulling a boom, an ignition boat, and a support vessel (crew boat). As part of the general oil collection operations paired trawlers pull a 500' boom at approximately 0.5 knots to concentrate oil for burning. Once ignition boat personnel determine the oil is ready for ignition, a sea turtle survey will be initiated.

The observer will be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. A general header data collection sheet (attachment 1) will be filled out by the observer that includes information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey.

Sea turtles that cannot be captured due to their proximity to the booms or edge of the oil spill with be recorded as mortalities. Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to transport the sea turtle back to land.

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

MARINE SPECIES OBSERVATION FORM	ANIMALS SIGHTED: Y OR N ANIMALS RETRIEVED: Y OR N
OBSERVER #:	PAGE ____ OF ____
TRIP #:	DATE (MM/DD/YY):
SURVEY #:	SKIMMER TYPE:
OBSERVATION PLATFORM:	

LOCATION		
	START LAT/LONG (DD.MM.mmm)	START TIME(24hr)
	END LAT/LONG (DD.MM.mmm)	END TIME(24hr)

SOURCE ☐ NON-SOURCE ☐ NEAR SHORE ☐ BEACH ☐

TARGET OIL	HABITAT TYPES		
HEAVY (dark black/brown) ☐	SARGASSUM WEEDLINE: OIL ☐ NO OIL ☐	OIL LINE NO SARGASSUM ☐	
MEDIUM (brown to peanut color) ☐	DISPERSED SARGASSUM: OIL ☐ NO OIL ☐	OTHER:	
LIGHT (silver/rainbow sheen, metallic brn) ☐	HEAVY CONTINUOUS OIL NO SARGASSUM ☐		
Emulsified (orange) ☐	DISPERSED PATCHES OF OIL NO SARGASSUM ☐		

LENGTH OF BOOM (FT):		SKIRT HIEGHT (INCHES):
START BURN TIME (24hr):	WEATHER DESCRIPTION	VISIBILITY (FT):
		SEA STATE:

ANIMAL OBSERVATION SUMMARY

ANIMAL TYPE	NUMBER OF ANIMALS	
	ALIVE	DECEASED
Sea turtles		
Dolphins		
Whales		
Manatees		
Sea birds		
Other (Specify):		

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

SIGHTING AND RETRIEVALS- ADDITIONAL INFORMATION

SPEC. #	SPECIES	CONDITION	PHOTOS (Y OR N)	LATITUDE	LONGITUDE	SURVEY PHASE	Comment (Y or N)

COMMENTS (Describe any interactions with equipment, species identification characteristics, behaviorial characteristics, ect.):

SPECIMEN DELIVERY INFORMATION

Date Speciment Delivered	**Vessel/Organization Name**	**Name of Individual Receiving**

The Marine Species Observation Form has been developed to document information pertaining to the sightings and retrieval of marine species during at-sea operations. The data forms are to be completed by the observer during each dedicated survey. The form will be used for all marine operations involving visual observers. In the event that a field is not applicable indicate this by writing "N/A". In the event that information is unobtainable or unknown write "UK" in the corresponding field and describe the circumstances in the comment section of the data form.

Animals Sighted: Circle yes or no to indicate if any animals were sighted during surveys associated with marine operations.

Animals Retrieved: Circle yes or no to indicate if any animals were retrieved during the course of the marine operation.

Observer #: This is a unique number assigned to each observer by the contractor. e.g. C45

Page ____ of ____: This field is used link all documents associated with each marine operation. Pages should be numbered consecutively and arranged in the order that sightings or retrievals occur during each survey.

Trip #: Trip numbers will be three digit numbers designated by the number of trips the observer has completed as part of this program. For example observer C45's first trip will be 001, the second trip will be 002 and so forth.

Survey #: This is a three digit number assigned by the observer on a trip basis for each of the surveys completed during a trip. A survey is an observation event focused on a single marine effort such as surface skimming or surface burning.

Date: Enter the date that the survey is commenced.

Vessel Name: Indicate the name of the vessel from which observations are being completed.

Type: Indicate the type of vessel from which the observations are being completed.

Location: The fields contained in this section of the data form will capture the start and end position and time relative to the survey platform in which the observer is completing the visual observation and species retrieval. Additional elements such as general location, qualitative description of the oil and habitat type will also be recorded by checking the most appropriate box.

Length of Boom: Recorded in feet this figure should be obtained by asking the Captains of the vessels towing the boom or from the burn team.

Skirt Height: Recorded in inches this field should be obtained from the Captains of the vessels towing the boom or from the burn team.

Start Burn Time: Using the 24hour clock format record the time that the burn in initiated by the burn team.

Weather Description: Indicate one of the following weather conditions: unknown, clear, partly cloudy, continuous layer of clouds, drizzle, rain, showers, thunderstorms, rain and fog, fog or thick haze, or other with a description in the comments section.

Visibility: Estimate in feet the distance of clear visibility across the survey area.

Sea State: Using the Beaufort scale describe the sea state present during the survey.

Animal Observation Summary: This section is used to summarize the condition of each type of animal encountered during a survey.

Sighting and Retrieval-Additional Information: This section is used to log each specimen encountered during the survey.

Spec. #: Indicate the three digit specimen number assigned by the observer on a per survey basis for each animal sighted and/or retrieved during the survey.

Species: Indicate the common name of the species sighted and/or retrieved.

Condition: Note whether the animal was alive "A", deceased "D", or unknown "UK" upon sighting and separated by a hyphen whether the animal was retrieved "R" or stayed "S" at sea. For example if a live animal is encountered and it is retrieved the observer would indicate A-R in the condition field. If the animal is not retrieved and stays at sea the observer must use the comment section do describe the circumstances for leaving the animal at sea.

Photos: Indicate with a "Y" or "N" if digital images of the specimen were taken.

Latitude and Longitude: Using the format of DD.MM.mmm indicate the position of the vessel when the animal is retrieved. In the event that an animal is not retrieved indicate the position of the survey vessel, approximate the distance to the animal in feet and indicate the information in the comment section.

Survey phase: Indicate one of the following:

1. survey of material in front of trawlers
2. survey of material in boomed area
3. survey of material trawling behind boom

Comments: Indicate with a "Y" or a "N" whether coments have been included pertaining to the specimen.

Comments: This section should be used to document all observed interactions between animals and gear, list key identification characteristics, to describe behavioral characteristics and any other notable information pertaining to the survey. All information relative to a specimen should be identified by the specimen number.

Specimen Delivery Information: This section is used to document the chain of custody for all specimens that are either transferred at sea or delivered to a shore based facility.

Date Specimen Delivered: Indicate the data that the specimen was transferred or delivered (mm/dd/yy).

Vessel/Organization Name: Indicate the name of the vessel or organization that receives the specimen.

Name of Receiving Individual: Indicate the name of the individual that takes possession of the specimen.

Sea Turtle At-Sea Retrieval Protocol

All live and dead sea turtles (includes oiled turtles) should be recorded and retrieved (if possible) and taken to an onshore facility for cleaning and rehabilitation or salvage/necropsy. Animals can be netted at the surface using dipnets or other hoists. Once onboard, sea turtles need to be carefully handled and transported to shore as soon as possible, in accordance with NMFS guidance.

BE SURE TO USE APPROPRIATE PERSONAL PROTECTIVE EQUIPMENT
(Gloves, Tyvek suits, boots, and goggles if necessary)

Sea Turtle Retrieval Kit (1 per boat) Includes:

- Large Diameter dip net
- Large Rubbermaid Crate
- Large Cotton Towel
- PPE (Gloves, Tyvek, goggles)

1. Bring turtle on board (dipnets are useful for small turtles less than ~3 ft length). Do not pick up turtles by their flippers, but rather, lift them by grasping both sides of the carapace. If the turtle attempts to evade capture, do not pursue. When handling turtles, be aware of the head and flippers – they will bite and have powerful flippers with claws.

2. Determine position at sea (latitude/longitude coordinates as DD.DDDD).

3. Contact the Wildlife Hotline (866-557-1401) or your supervisor to report the turtle to the Wildlife Branch as quickly as possible.

4. Get the towel wet and put it in the bottom of the transport crate. Place the turtle on top of the towel. Put the crate with the turtle inside in the shade. Do not add more water to the crate.

5. If the turtle appears to be dead, follow the same process but roll the towel up to raise the hind end a few inches higher than the head. Keep the crate in the shade. (Note: live turtles may appear comatose for up to 24 hours!)

6. Deliver the sea turtle (live or dead) to the designated Response Center. Transport turtles in individual containers when possible. Be sure to provide location, date and time data, and a chain of custody form with each turtle.

Marine Animal Observation Form

Vessel:			Start Date:	Start Time (CDT):	
Start Location (Lat/Long): End Location (Lat/Long):			End Date:	End Time (CDT):	
Task Force:			Trip #:	Capt Name:	
Number of Vessels in Task Force:			Length (ft):	Depth:	
Mission:			Lat:	Long:	
# vessels within 1 nmi radius ____			Beaufort Sea State: ____		
Observer(s):					
e-mail:		Phone:		Mobile:	
Water Oiling Cond:	heavy oil _	med oil _	light oil _	sheen _	no vis oil _
Animal Behavior:	traveling _	direction _	milling _	avoid ship _	bowriding _
Status:	alive _	injured _	dead _	If injured or dead, ph: 985 493 7829	
Obs Cond:*	excellent _	good _	fair _	poor _	
Species:	sm dolphin _	# ____	Species ID, or description if possible (e.g., approx size, amount of oiling, etc.):		
	lg dolphin _	# ____	Species ID, if possible:		
	whale _	# ____	Species ID, if possible:		
	manatee _	# ____	Species ID, if possible:		
	turtle _	# ____	Species ID, if possible:		
Photos:					

Please return completed forms to:
Mark A. Fraker, maf@terramarresearch.com, mobile: 250-661-0696 OR

Comments:

* excellent = nothing to interfere with sighting; good = minor interference (e.g., glare / rough water); fair = some interference; poor = significant interference.

There is considerable interest in the response of whales, dolphins, sea turtles, and manatees to the MC252 oil spill. Observers on vessels operating in the vicinity of the spill would be making an important contribution if they would report observations on the above form. There are nearly 30 whale and dolphin species known from the Gulf of Mexico. Most are rare and difficult to identify.

The Sperm Whale is large and relatively easy to ID. Bryde's Whale is the only large baleen whale likely to be seen, but it is rare.

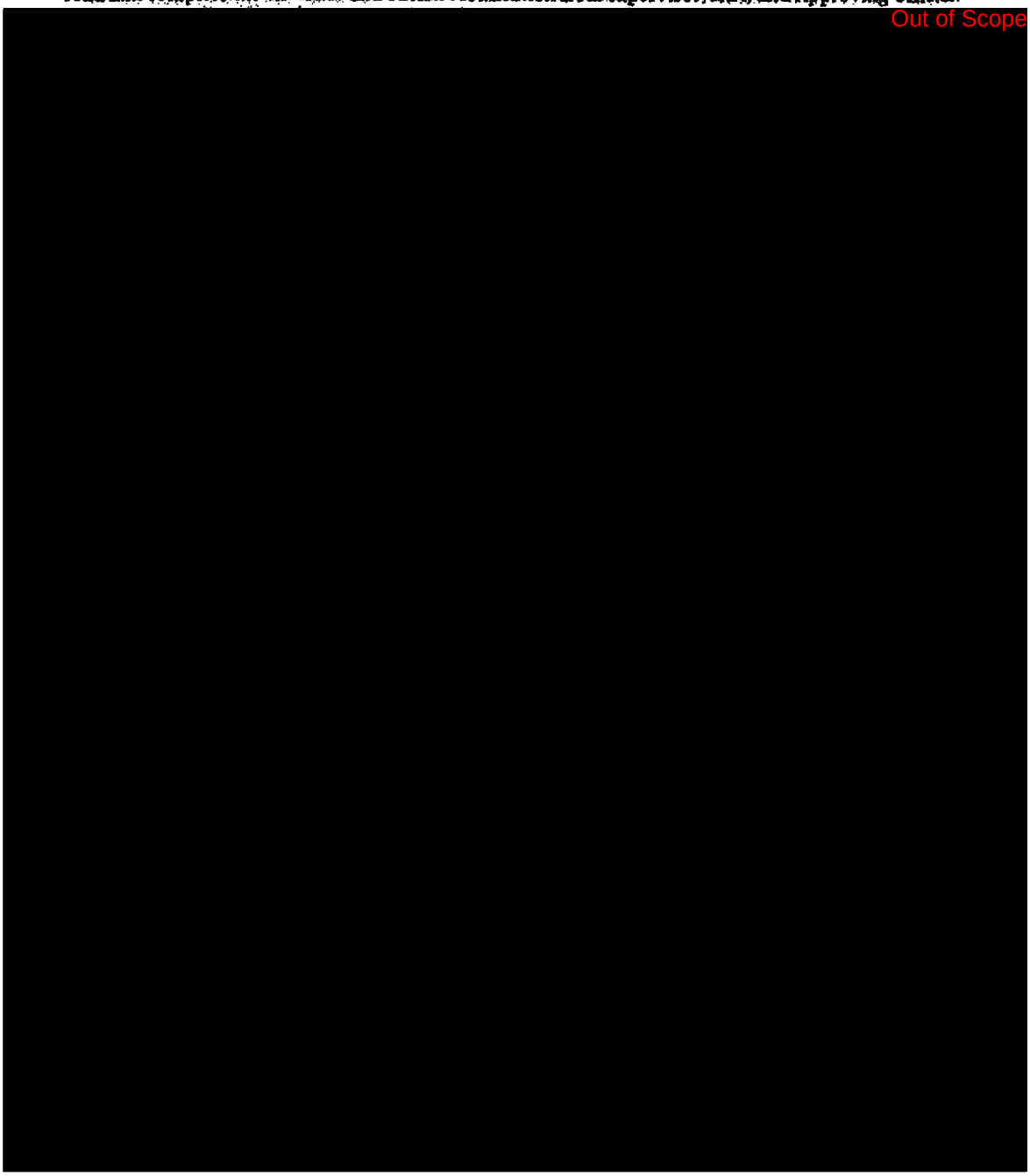
Photos can be very helpful for confirming ID.

Suggested ID guide: Wynne, Kate, and Malia Schwartz. 1999. Guide to marine mammals and turtles of the US Atlantic and the Gulf of Mexico.

Please return completed forms to:
Mark A. Fraker, maf@terramarresearch.com, mobile: 250-661-0696 OR

TELEWORK – IT SECURITY REQUIREMENTS CHECKLIST

This checklist is designed to protect NOAA information managed by NOAA/SEFSC from loss or compromise. Each applicant must read and complete the checklist to include with the telework application package. IRM will need to be consulted to complete this form. Each applicant should read and complete the checklist and obtain certification from supervisor, IRM, and Approving Official.



BEST MANAGEMENT PRACTICES TO PROTECT SEA TURTLES AND MARINE MAMMALS

Skimmer Operations:

Sea Turtles

- Use of oil skimmers can adversely affect sea turtles through possible capture and/or entrainment.

Best Management Practices To Reduce Skimmer Impacts to Sea Turtles

- Collection of all live and dead turtles needs to be conducted according to the attached protocols (attachment 1).
- The best possible mitigative measure would be to have turtle rescue vessels (with trained rescue personnel, if available) accompany selected skimming task forces to search the material to be skimmed and collect all turtles found in the area, before skimming operation begin. If this is not possible then the following should be considered:
    - Have a trained observer (if available) or a crew member dedicated to looking for sea turtles (and marine mammals) during skimming operations and record each sighting event, including GPS location, species (if known), description of encounter on the attached form (attachment 2).
    - If possible and if the skimming platform allows (i.e. size of vessel) and there is no risk to human safety collect live and dead sea turtles according to attachment 1.
    - Contact the Wildlife Hotline (866-557-1401) or your supervisor to report the turtle to the Wildlife Branch immediately.
    - If possible all Sargassum that is not-oiled or is only very lightly oiled should be avoided.

Marine Mammals:

- Use of oil skimmers can adversely affect marine mammals through possible capture and/or entrainment.

Best Management Practices To Reduce Skimmer Impacts to Marine Mammals

- Have a trained observer, if available, or a crew member dedicated to looking for marine mammals that maybe affected by equipment or are impacted by oil.
- Contact the Wildlife Hotline (866-557-1401) or your supervisor to report any marine mammal that is impacted by skimming operations or that has signs of oil impacts to the Wildlife Branch as quickly as possible.
- If possible avoid skimming operations where marine mammals have been spotted, if a marine mammal is spotted during operations, if possible, stop operations until the animal is outside the operations area.

In-Situ Burning (Offshore):

Sea Turtles

- Sea turtles can be adversely affected during corralling of oil and oiled Sargassum or other converged material by being herded by the booms into oil, turtles may also be in the oil already whether or not there is Sargassum present. Any live turtles in the boomed oil and/or oiled Sargassum or other converged material will be burned alive when the oil is ignited

Best Management Practices to Reduce In-Situ Burns Impacts to Sea Turtles

- Collection of all live and dead turtles needs to be conducted according to the attached protocols (attachment 1).
- The best possible mitigative measure would be to have turtle rescue vessels (with trained rescue personnel, if available) accompany the burn taskforce into the burn box and to search all material to rescue turtles prior to burning, while oil is being boomed or otherwise is awaiting burning. If this is not possible then the following should be considered:
    - Send turtle rescue vessels (with trained rescue personnel, if available) into the next day's projected burn box to search for and rescue turtles. Feasibility will depend on the size of the projected area and whether material has already been boomed or otherwise collected.
    - Have a trained observer (if available) or a crew member dedicated to looking for sea turtles (and marine mammals) during corralling operations and record each sighting event, including GPS location, species (if known), description of encounter on the attached form (attachment 2).
    - Contact the Wildlife Hotline (866-557-1401) or your supervisor to report the turtle to the Wildlife Branch immediately.
    - If possible all Sargassum that is not-oiled or is only very lightly oiled should be avoided.
    - If possible a survey should be conducted in the burn area after the burn is complete and all dead sea turtles should be counted and if possible collected.

Marine Mammals:

- Marine mammals can be adversely affected by in-situ burns if they are in the burn area during burning. It is expected that marine mammals will avoid the area once the oil is ignited.

Best Management Practices to Reduce In-Situ Burns Impacts to Marine Mammals

- Have a trained observer, if available, or a crew member dedicated to looking for marine mammals that maybe affected by the burn or are impacted by oil.

- Contact the Wildlife Hotline (866-557-1401) or your supervisor to report any marine mammal that is impacted by burn operations or that has signs of oil impacts to the Wildlife Branch as quickly as possible.
- If possible avoid burn operations where marine mammals have been spotted, if a marine mammal is spotted during operations, if possible, stop operations until the animal is outside the operations area.

From: John Carlson <john.carlson@noaa.gov>
Subject: **Fwd: update on observer activities**
Date: July 3, 2010 9:02:48 AM CDT
To: Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>

Begin forwarded message:

From: John Carlson <John.Carlson@noaa.gov>
Date: July 2, 2010 7:39:54 PM CDT
To: teri Rowles <Teri.Rowles@noaa.gov>
Subject: update on observer activities

Teri

per your request

John

John K. Carlson, Ph.D.
NOAA Fisheries Service
Southeast Fisheries Science Center
3500 Delwood Beach Rd.
Panama City, FL 32408
850-234-6541 ext 221
john.carlson@noaa.gov

REPORT ON CURRENT OBSERVER ACTIVITIES

In response to a restraining order to halt all in-situ oil burn operations because of sea turtle interactions and mortalities; effort has been underway to develop a short term observer program to immediately deploy observers on Burn Unit Task Forces.

Currently 4 individuals have been identified through an existing contract with East Coast Observers. These observers have already received HAZWOPPER training and at-sea safety training and will only require training in terms of an overview of the program and data collection requirements. Observer training will take place on Sunday July 4. It is anticipated that 2-3 Burn Task Force Units will begin operations as weather conditions improve on July 5, 2010. Subsequent to training, 1 observers will accompany each Burn Task Force as part of the normal crew.

Development of a long-term contract is currently underway. This contract will provide observer coverage for all skimmer activities including burn units. Potential contractors have been identified and preliminary discussion has taken place. One contractor is preparing an estimated budget.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **update on observer activities**
Date: July 2, 2010 7:39:54 PM CDT
To: teri Rowles <Teri.Rowles@noaa.gov>

Teri

per your request

John

John K. Carlson, Ph.D.
NOAA Fisheries Service
Southeast Fisheries Science Center
3500 Delwood Beach Rd.
Panama City, FL 32408
850-234-6541 ext 221
john.carlson@noaa.gov

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Development of a long-term contract is currently underway. This contract will provide observer coverage for all skimmer activities including burn units. Potential contractors have been identified and preliminary discussion has taken place. One contractor is preparing an estimated budget.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **observer contract draft**
Date: July 3, 2010 2:22:43 PM CDT
To: teri Rowles <Teri.Rowles@noaa.gov>, Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>
▶ 1 Attachment, 76.5 KB

comments?

BP observer ...doc (76.5 KB)

STATEMENT OF WORK

C.1. Project title

Observer coverage of skimmer and burn vessel units associated with oil removal in the Deep Water Horizon oil spill

C.2. Background and objective

Sea turtles are particularly susceptible to population declines because of their vulnerability to anthropogenic impacts during all life-stages. Commercial and recreational activities can have an adverse effect on sea turtles. For example, various methods used in fisheries, including trawling, pot fisheries, longlines, and gillnets are known to cause fatal interactions with sea turtles. Dredge and fill operations and underwater explosions can cause fatal injuries. As such, many species are listed as threatened or endangered under the United States Endangered Species Act (ESA). Additional background information on the status of sea turtle species can be found in a number of published documents, including recovery plans for the Atlantic green sea turtle (*Chelonia mydas,* NMFS and USFWS 1991a), hawksbill sea turtle (*Eretmochelys imbricata,* NMFS and USFWS 1993), Kemp's ridley sea turtle (*Lepidochelys kempii,* USFWS and NMFS 1992), leatherback sea turtle (*Dermochelys coriacea,* NMFS and USFWS 1992), loggerhead sea turtle (*Caretta caretta,* NMFS and USFWS 1991b).

In efforts to reduce the level of surface oil [illegible] Deep Water Horizon Oil Spill, the use of in situ burns of oil and gas on the surface of U.S. territorial seas in the Gulf of Mexico has resulted in the take of ESA listed sea turtles including Kemp's ridley, loggerhead but also may include green and leatherback sea turtles. This take is without authorization for the "take" of listed species as required by the ESA. 16 U.S.C. § 1638(a)(1)(A) (prohibiting any person from committing the "take" of listed species "within the United States or the [illegible] sea of the United States"); 16 U.S.C. § 1532(19) ("The term 'take' means to harass, harm, pursue, attempt to engage in any such conduct."). Moreover, although currently not documented the use of oil skimmers can adversely affect turtles through possible capture or entrainment. The magnitude of these marine events is not currently known. Data necessary to estimate the "take" of sea turtles during these activities is required to meet the mandates of the ESA.

C.3. Scope

This solicitation is for the procurement by British Petroleum of "Contractor" to furnish the necessary personnel, material, equipment, services and facilities (except as otherwise specified) to perform the following the Statement of Work/Specifications (see sections **C.5** and **C.6**.). Extensions to this completion date (e.g., due to prolonged periods of inclement weather) may be requested by the Contractor but must be approved by British Petroleum.

C.4. Period of performance

It is anticipated that the Contractor will complete all work by December 31, 2010. However, given the potential for unforeseen delays (e.g., due to inclement weather), the period of performance shall range from time of award to October 31, 2010.

C.5. Description of work

The National Marine Fisheries Service (NMFS) requires the recruitment, selection, supervision, and outfitting of observers to fulfill the obligations of Section 7 and 9 of the Endangered Species Act (see sections **C.2**). The Endangered Species Act requires NMFS to monitor and report on all levels of sea turtle interactions with commercial activities including but not limited to commercial fishing, dredging and dredge spoil dumping, and oil platform removal. NMFS categorizes all of these activities based on the human-caused level of serious injury or mortality of sea turtles.

The work required under this contract is to collect data needed to report levels of interactions with sea turtles and other protected species bycatch. Approximately 100% percent and 25% of the in situ burn and skimmer effort, respectively should be observed by month and area throughout the contracted period. The Contracting Officer's Technical Representative (COTR) will work with the Contractor in determining which vessels should be selected, how data will be collected, edited, and submitted, and answer questions or deal with concerns of the BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill ("Unified Command"). Observers shall record scientific data on marine species, observe in situ burn and skimmer, and collect and return captured sea turtles according to protocols developed by NMFS.

1. Objectives of the Program

The primary goal of this Program is to report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources occurring during the course of in situ burn and skimmer operations in U.S. territorial seas in the Gulf of Mexico. Its main objectives are, in order of priority, to: 1) obtain reliable estimates of incidental serious injury and mortality of sea turtles; 2) where possible, remove and coordinate collection and transport of injured sea turtles as a result of contamination by oil or skimmer activities to appropriate rehabilitation facilities and 6) record data on other protected species bycatch and discard levels and aspects and procedures of the in situ burn and skimmer activities.

2. SCOPE OF WORK

The contractor shall furnish the necessary personnel, materials, services, facilities (unless otherwise specified in Task Orders), and otherwise do all tasks necessary to perform the work and services called for under this Scope of Work.

The contractor, as an independent contractor and not as an agent of the US Government or BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill shall furnish as may be required and ordered by BP America, Inc., SERVICES which include environmental, biological, and operations data collection. These activities shall be performed in accordance with the Statement of Work and selected Task Orders and shall be accomplished by contractor personnel in each of the following categories, having qualifications as represented by the contractor in its proposal listed as follows:

Living Resource Sampling and Environmental Data Collection
- Acquire and provide information on in situ burn and skimmer operations and logistics for refinement of sampling design
- Conduct field sampling and data collection on in situ burn and skimmer operations, environmental conditions
- Report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources
- Data quality control

Program Support Services
- Assist in the preparation of program specifications and designs
- Provide logistics and operational support for observer deployment
- Equipment operation and maintenance

3. Program Coordination

The contractor shall provide overall administrative and contractual support including insurance and liability coverage, and employ the mobile workforce of contracted observers, and other contracted personnel who will collect data and assist in activities required. The contractor shall be responsible for adherence to all federal, state, local, and site-specific safety regulations.

Sampling and data collection will be performed on a flexible work schedule depending on in situ burn and skimmer operations. Consequently, precise work hours or work dates cannot be determined in advance. Work schedules may involve shift or weekend periods.

Sampling will be conducted under a variety of weather and working conditions.

This contract requires 100 percent and 25% observer coverage of the in situ burn and skimmer effort, respectively, for each region. However, this level may be modified by the COTR accordingly prior to or during operations subject to program coverage needs and the vagaries of in situ burn and skimmer operations. Initial focus of observer coverage should be on those vessel or operations with the highest risk to sea turtles. In addition, the distribution of observers and port assignments may change during the course of this contract as time progresses. It is understood that factors such as weather, changes to in situ burn and skimmer operations, and other unforeseen circumstances may interfere with observer effort and is taken into consideration in program design and data analysis. The Contractor shall determine the number of observers needed per region to meet the initial target coverage rate. The Contractor shall maintain an accurate real time assessment of effort through coordination with the Unified Command for the Deepwater Horizon Oil Spill. Observers shall be resident in the area, either on land or on a staging vessel and travel to meet vessels to meet the coverage needs.

In general, during the in situ burn operations observers shall be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. Data forms will be

filled out by the observer that include information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey.

All attempts will be made to recover sea turtles. Sea turtles that cannot be captured due to safety or other reasons will be recorded. Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to transport the sea turtle back to land. The Contractor in collaboration with the COTR may need to make further modifications to the data form and sampling procedures as more information is gathered

As of July 3, 2010, only an initial assessment of risk to sea turtles and other protected species has been provided. The Contractor will need to make further observations and modify coverage and directives as more information is gathered. All skimmers have the potential to interact with live sea turtles through impingement and entrainment, and also interact with injured or dead wildlife. The following table ranks the relative risk of skimmers in determining observer coverage to monitor operations and recover sea turtles. Ideally, some data would be collected on all medium and high risk skimming operations. This assessment is based on the available information.

HIGH	MEDIUM	LOW
Big Gulps (offshore near shore)	TMT A Whale	Dutch arm[f]
Mini-Gulps (passes)	Boom trawlers with floating weirs in heavy oil (offshore)[c]	Drum weirs
Ocean busters[a]	Boom trawlers with sorbents[e]	Disc weirs
Current busters	Belt/mechanical skimmers	Rope mops
Harbor busters		Floating weirs in light-medium oil
USCG floating weir[b]		
Fishing type trawl net boom[d]		

[a] The configuration of all busters is the same, the only difference is size (ocean>current>harbor).

[b] Enclosed net configuration with similar concerns to the busters.
[c]The greatest risk is to juvenile (smaller) sea turtles. The greatest potential risk to turtles from skimmers is becoming entrapped in the boom and funneled toward the weir.
[d]May not be is use.
[e]The ration of boom (above) to skirt (below) is about 1/3 above water to 2/3 below water. The skirt length ranges between 12 in to about 3 ft. Longer skirts pose greater risks than smaller skirts and could entrap floating or debilitated sea turtles.
[f]Are reported to have debris exclusion devices installed that would also protect sea turtles. Needs to be verified once the arms arrive on scene.

4. PLACES OF DELIVERY/PERFORMANCE
The contractor shall perform tasks under the contract in Gulf of Mexico [illegible]s and aboard vessels or at set net sites, dependent on the in situ burn and skimmer operat[illegible] or as appropriate, at the contractor's facilities.

The following is a representative listing of probable observer or[illegible]ation locations:

1) Houma, Louisiana
2) Mobile, Alabama
3) Venice, Louisiana
4) Port Fourchon, Louisiana

5. DESCRIPTION OF DIRECT LABOR C[illegible]TEGORIES

The following direct labor [illegible]es are required to perform the anticipated contract. All categories are described in a generic manner; however, each category is required to have background, experien[illegible]d education.

Observer Coordinator--Task [illegible]dinator shall have experience in the scientific environment [illegible]asis on observer management and deployment, which will be required in each speci[illegible] Task Order. Specific duties are organizing and controlling the contract[illegible]d service, ma[illegible]aging and directing subordinates and subcontracted observers, reporti[illegible] the contract technical management and controlling the tasks' administrative, personnel, [illegible] operations activities.

Experience required-- At least 3 years experience in managing such tasks is required.

Education required--A Bachelor's degree or higher related to the requirements of the specific Task Order is required.

Fishery Observers--Collects data as required in the performance of the contract. Definitions and levels are defined by the Department of Labor. See Section C.2.6.a. below for required observer experience and education.

FISHERY OBSERVER
Independently executes duties, resolving exceptions and special problems or to make adaptations in the procedures. Collects observational, environmental, and biological data according to detailed procedures. According to established standards and detailed procedures, records data on appropriate paper or electronic forms and logs. Maintains field equipment and supplies. May enter and transfer data electronically.

6. OBSERVER QUALIFICATIONS, RESPONSIBILITIES AND DUTIES

At a minimum, 75% of the observer workforce shall have a Bachelor's degree in the natural sciences. Individuals that do not meet degree requirement shall be evaluated based upon observing experience, academic standing, personality attributes, physical fitness, and overall experience. All observers must meet the following standards:

a. Academic background and experience. Candidates must have a Bachelor's or higher degree in the biological sciences from an accredited college or university with a minimum of 30 semester hours in applicable biological sciences and at least one undergraduate course in math, statistics, or computer science OR 3 years experience as skipper or first mate.

b. Personality attributes. The mental and emotional demands on observers are rigorous. Candidates shall be mature and capable of working independently without direct supervision under stressful conditions. They shall be self-motivated, possess good judgment, and be able to work and live in close quarters with other individuals in a professional and respectful manner.

c. Good physical condition. All observers must have passed a complete physical examination within the 6 months prior to deployment.

d. CPR. Observers must be CPR-trained and have a current certification prior to the training. It should be the observer's responsibility to ensure proper re-certification or renewal to maintain certification. A copy of the CPR card shall be provided to the Contractor by the observer.

f. Background Checks. Criminal background checks will be performed for each observer. The COTR will review the results on a case-by-case basis and retains the right to deny accepting a candidate based on the information provided.

g. Observer Training. All observers must successfully complete the training course.

h. Standards of Conduct for Observers. The observer must avoid any behavior that could adversely affect the confidence of the public in the integrity of the Observer Program. Observers shall conduct themselves in a manner that will reflect favorably upon the Observer Program by maintaining high standards of honesty, integrity, impartiality, and conduct in all situations. Observers:

(1) Must diligently perform their assigned duties;
(2) Must accurately record their sampling data, write complete reports, and report honestly;
(3) Must protect the confidentiality of all collected data and observations made on board vessels. Observers shall not use any data collected under this contract for purposes other than the performance of this contract nor shall observers retain, release, reproduce, distribute, or publish any of the data without prior approval;
(4) Must refrain from engaging in any illegal actions or any other activities that would reflect negatively on their own or others' image(s) as professional observers or on the Observer Program as a whole. This would include, but is not limited to:

(a) Engaging in excessive drinking of alcoholic beverages;
(b) Engaging in the use or distribution of illegal drugs;
(d) Engaging in criminal, dishonest, disrespectful, or disgraceful conduct that may be perceived as prejudicial to the Government.

Behavior that is contrary to these standards or to the intent of these standards would be considered grounds for disqualifying the offending observer or termination of any observer subcontract. Falsification of observer data is grounds for dismissal.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Re: Observer tracking sheet**
Date: July 4, 2010 8:36:47 AM CDT
To: Luke Szymanski <Luke@aisobservers.com>

▶ 1 Attachment, 22.0 KB

The file I had was corrupted as well. I asked Mark for another copy because I have a hard copy only. I haven't gotten a new copy from Mark. However, I developed an observer protocol based on what Mark sent us. its attached

Observer pr....doc (22.0 KB)

On Jul 4, 2010, at 8:11 AM, Luke Szymanski wrote:

> Hello John,
>
> Could you please send me the document titled Observer Protocol-Surface Burn Task Force. This is the protocol that Mark Dodd drafted. The file that I have is corrupted and it will not open properly.
>
> Thank you,
>
> Luke
>
> **Luke Szymanski**
> Marine Projects Manager
> A.I.S., Inc
> 89 North Water Street
> New Bedford, MA 02740
> 774-265-0596
> www.aisobservers.com
>
> ---
>
> **From:** John Carlson [mailto:John.Carlson@noaa.gov]
> **Sent:** Sun 7/4/2010 8:52
> **To:** Luke Szymanski
> **Cc:** Alexis.Gutierrez@noaa.gov
> **Subject:** Re: Observer tracking sheet
>
> excellent job Luke. you da man
>
> thanks
>
> John
>
> On Jul 4, 2010, at 12:03 AM, Luke Szymanski wrote:

Hello,

I have attached a tracking sheet that will help me to keep track of the observers. I will add additional deployment types once we start covering the different of skimming operations. I apologize for not communicating my plan to be in Houma Monday morning. Regardless whether we head to sea tomorrow or complete the classroom training I plan to head back to LA tomorrow. This will allow me to collect the cameras, GPS units, clipboards and additional supplies Monday AM. On Monday I will meet the Observers in Venice around 1400 to distribute the gear and to discuss any outstanding issues. Since the Observers will be using the trailers in Venice for the time being, should I make sure that they are cleaned after our people use them and restock them with the essential items? Something to think about is that we will be receiving a fairly large quantity of gear next week. Ideally I would be able to make up Observer kits and store them somewhere. The same storage area could also be used by Observers between deployments as I assume that they will be heading home for a period of time. Jim at the warehouse gave me the impression that he did not have any extra room at that facility.

Luke Szymanski
Marine Projects Manager
A.I.S., Inc
89 North Water Street
New Bedford, MA 02740
774-265-0596
www.aisobservers.com

<Observer Tracking Sheet 2010.xls>

OBSERVER PROTOCOL

A Burn Unit includes a pair of trawlers pulling a boom, an ignition boat, and a support vessel (crew boat). As part of the general oil collection operations paired trawlers pull a 500' boom at approximately 0.5 knots to concentrate oil for burning. Once ignition boat personnel determine the oil is ready for ignition, a sea turtle survey will be initiated.

The observer will be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. A general header data collection sheet (attachment 1) will be filled out by the observer that includes information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey.

Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to transport the sea turtle back to land.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Fwd: update on the briefings and meetings with the plaintiff**
Date: July 4, 2010 8:45:05 AM CDT
To: Guy Davenport <guy.davenport@noaa.gov>, Bonnie Ponwith <Bonnie.Ponwith@noaa.gov>, "Theo R. Brainerd" <theo.brainerd@noaa.gov>

Greetings from Houma

just wanted to give you an update of whats going on here for me so you are in the loop. I've been ramping things up getting the observer program up running. the stakes went up exponentially due to the litigation to cease all in situ burn activities of oil as a result of the potential for sea turtle interactions.

I took part in a call yesterday with the plaintiffs and CG, NOAA-GC, and PR. Below are notes from the call that will go to F suite and emails related for your information.

My tour here ends Tuesday and then I'm finally off on leave

John

Begin forwarded message:

> **From:** Teri Rowles <Teri.Rowles@noaa.gov>
> **Date:** July 3, 2010 7:36:55 PM CDT
> **To:** Helen Golde <Helen.Golde@noaa.gov>, Barbara Schroeder <Barbara.Schroeder@noaa.gov>, David Cottingham <David.Cottingham@noaa.gov>, David Bernhart <David.Bernhart@noaa.gov>, Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>, John Carlson <John.Carlson@noaa.gov>, Teri Rowles <Teri.Rowles@noaa.gov>
> **Subject: update on the briefings and meetings with the plaintiff**
>
> Here is my take on the calls. A, J and D please weigh in THANK YOU
>
> 3 pm CDT briefing with DOJ, FWS, NOAA, BP, USCG attorneys and staff: spent a lot of time explaining operations (burn task force lead for BP), turtle biology, and the observer program. John did a fantastic job describing what we are doing now and planning to do and David B along with Pam Lawrence explained ESA issues. The BMPs are not yet final and in the operational plans for each day.
> The two Burn Task Forces will have four operational pairs of shrimp vessels (8 boats) and three ingnitor boats and will leave on Sunday but are not expected to have burns until Tuesday. The discussion of what to do if a live turtle is in the center of the oil did not resolve into a final decision and there will likely be more discussion of that situation. The call was interrupted at the end when the plaintiffs came on early.
>
> 4 pm CDT all of the above plus the Plaintiff lawyer plus four Turtle Island Restoration Network staff

and a former US FWS sea turtle biologist.
BP burn task force lead explained the operation and John Carlson gave an overview of the observer program.
The plaintiffs concerns were concerned about:
1. altitude that the spotter plane flies is too high to see turtles
2. Need more information and information flow from what is happening regarding protection of turtles and numbers of turtles affected
3. Who are the observers and how are they trained. Followed by noting that they want to volunteer to assist.
4. Would it be possible to identify areas of high turtle concentration and have the burn task force avoid those areas.
5. Would it be possible to identify concentrations of sargassum and check those areas out before the booming or burning.
6. Identification of alternative methods of removing oil from surface in areas of high turtle density instead of burning.
7. Want information on current turtle numbers (on water, stranded and soon to be observer) by species given to public.
8. Concerned that observers will be restricted from sharing information.

I expect that getting our website up and going (with appropriate staff) will be very beneficial to all of us. Doing more reporting with existing staff is going to be overwhelming.

On Jul 3, 2010, at 7:19 PM, Teri Rowles wrote:

> Ditto on the issues that Alexis raised. We have in our staffing plan an outreach person and a dedicated public affairs type person due to the high profile of the species, the public concern, and the value of getting more information out to the public. We all agree that getting more information out is critical but we are overtaxed and can't. THANK YOU
>
> > William.Whitmore@noaa.gov wrote:
> > Thanks to everyone for calling in today. The USCG attorney here at the UAC was very thankful that David called in, and both attorneys here were impressed with John's explanation. So thanks for making NOAA look good.
> >
> > One comment/question that I have, and I admit that right now I'm not the most familiar PR efforts by the SERO, but does anyone think we could be doing more to educate the public with what is going on? I know we have a pdf or two out there, but is there anything we could set up with a more accurate update of the situation with regards to turtles and ISB? I'm not sure how much, what, or how the process would have to go through the unified command for approval, but something to chew on. It seemed like some of these folks just wanted more information, and I was just wondering if you had any ideas on how we could get it to them.
>
> *Within NMFS PR, we have been trying to get permission to post more information on our website about what we are doing. We don't feel that the Deepwater Horizon NOAA website does an adequate job of representing our work or our issues. We have been given permission to develop a beta site but with staff pulled in many directions it has not gotten off the ground yet. Like anything more time and the right people, could address this. Teri, do you want to add more?*

Also, if anyone had any concerns, or was uncomfortable with anything, please let me know so I can talk with the attorney here.

*Not sure how the attorneys will develop the written response to the plantiff, but the following items need to be discussed a bit more.

a.) Reporting species and size information on real-time basis is not possible. We scramble every night to put together the nightly report for the Unified Command and NOAA just on the numbers. If we had a lag time of a week or more than it might be possible to do a second report of the size and species. However, folks are feeling very report fatigued given that we do three a day already. Thus, more staff would have to be made available to do this.

b.) Rescuing adult sea turtles is not practical. There was a reference by Chris Pinetich (sp?) that we should be rescuing adult loggerheads and leatherbacks that are seen in oil. These animals are extremely large (Loggerheads 300+ lbs and Leatherbacks 400-1000lbs). We do not have the manpower nor the rehabilitation facilities to rescue these animals. Moreover, once we start doing this we are going to have to start rescuing every dolphin, whale shark, etc that is seen in oil. This is just not practical.

c.) Volunteering -- Turtle Island Restoration Network continues to want to volunteer as either observers or on our search and rescue teams. When we told them that they could not they went to Senator Feinstein and the White House. We need Unified Commands support to make it clear that it is inappropriate for a litigant to try to be volunteer moreover the safety issues involved with these operations make it that only trained and vetted individuals will be contracted. We have had a letter at Area Command since early this week and have heard nothing. If USCG does not want to sign this letter or wants to take a different tact, we would be very interested to know.

Thanks again! Have a great 4th! A

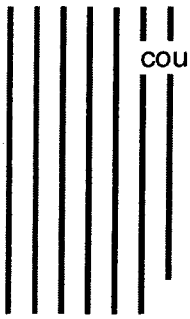
*

Thanks again, and enjoy your holiday (for those of us that aren't working!)

-Willie

William.Whitmore@noaa.gov wrote:

Bob,
The USCG lawyer here had several conversations with some folks, reviewed some documentation, and saw your name as a Section 7 contact. Would you be interested in calling in today to discuss
the
lawsuit regarding in-situ burning and turtles? I know that David Bernhart and John Carlson are already calling in, but just wanted
to
touch base with you to see if you were interested? I apologize if you spoke with David and John and already participated in planning this. Just checking for USCG. Alexis and others in Houma, if you haven't heard from Bob, believe
he



would want to be involved, and have a cell phone number where I could contact him, please forward back.

Thanks,
Willie
508-566-3804

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Fwd: Document Request**
Date: July 4, 2010 11:49:15 AM CDT
To: Karla Reece <Karla.Reece@noaa.gov>

▶ 5 Attachments, 621 KB

FYI

Begin forwarded message:

> **From:** Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>
> **Date:** July 4, 2010 10:24:18 AM CDT
> **To:** "Gelakoska, Marianne LCDR" <Marianne.M.Gelakoska@uscg.mil>, firemandrew876@gmail.com, William Whitmore <William.Whitmore@noaa.gov>, Ed Levine <Ed.Levine@noaa.gov>, John Carlson <John.Carlson@noaa.gov>, brian.w.seekins@uscg.mil
> **Subject: Document Request**
>
> Hi Marianne and Company,
> Sorry we didn't get these to you earlier. We had another fire drill pop up (which Ed and Will we need to talk to you about that too). Included in this email you will find --
>
> 1.) Observer Equipment List
> 2.) In-situ Burn Team Training Ppt (in 2nd email)
> 3.) Observer protocol
> 4.) Marine Observer Form
> 5.) Marine Documentation Form
> 6.) BMPs for Sea Turtles
> 7.) Observer Company -- East Coast Observers, Owner is Trish Bargo. Trish can be reached at tbargo@eastcoastobservers.com.
>
> PLEASE NOTE -- That the BMPs is the last version we saw before we understand it went to Area to be incorporated with all the BMPs. Will can you confirm this is the final document? Can you let us know when Area will be distributing all the final BMPs via ERMA?
>
> Thank you!! A

equipment list.doc (71.5 KB)

Marine Speci....doc (262 KB)

Marine Speci...doc (32.0 KB)

Observer pr....doc (46.0 KB)

TurtlesBMP.pdf (209 KB)

DESCRIPTION	Number per Observer
TYPE III MANUAL INFLATE PFD Stearns or Mustang	1
MARINE WHISTLE	1
EAR PLUGS (pair)	4
TYVEK SUIT - Size Extra Large	5
NOMEX SUIT	1
HARD HAT	1
SAFETY GLASSES	1
RESPIRATORY PROTECTION - must take a P100 organic charcoal cartridge (MSA)	1
4 GALLON WATERPROOF FLOAT BAG TO CONTAIN KIT - Ultra sill dry Sack - www.seatosummit.com.au	1
LARGE BODY BAG 6mm thick 55 gallon, lab safety supply	25
Nitrile oil resistant gloves, xize (S) (1 box 100ct)	10
Nitrile oil resistant gloves, xize (M) (1 box 100ct)	10
Nitrile oil resistant gloves, xize (L) (1 box 100ct)	10
DIVE SLATE APPROXIMATELY 4" BY 6"	1
12 INCH CABLE TIES	50
DUCT TAPE	1
DIP NET WITH 12 FOOT TELESCOPIC POLE	1
ATLAS BRAND RUBBER GLOVES PAIR	20
SHARPIES PENS	5
MECHANICAL PENCILS	20
PLASTIC CLIPBOARD WITH STORAGE	1
OLYMPUS TOUGH WATERPROOF/SHOCK PROOF DIGITAL CAMERA	1
COMPACT FLASH CARDS FOR DIGITAL CAMERA, 4GB	5
BACK-UP RECHARGEABLE BATTERY FOR DIGITAL olympus CAMERA	1
olympus DIGITAL CAMERA CASE	1
HIGH SEAS OBSERVER TAGS	25
WATERPROOF BINOCULARS (7 X 50)	1
GUIDE TO MARINE MAMMALS & TURTLES OF THE U.S. ATLANTIC & GULF OF MEXICO, WRITTEN BY KATE WYNNE & MALIA SCHWARTZ	1
WATERPROOF FIELD LOG, hip pocket notebook 4w X 6l part # 646 - J L Darling Corp,	2
SATELLITE PHONE	1
GARMIN 72 H WATERPROOF HANDHELD GPS	1
BACK-UP RECHARGEABLE BATTERY FOR GPS	1

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

MARINE SPECIES OBSERVATION FORM	ANIMALS SIGHTED: Y OR N ANIMALS RETRIEVED: Y OR N
OBSERVER #:	PAGE ____ OF ____
TRIP #:	DATE (MM/DD/YY):
SURVEY #:	SKIMMER TYPE:
OBSERVATION PLATFORM:	

LOCATION		
	START LAT/LONG (DD.MM.mmm)	START TIME(24hr)
	END LAT/LONG (DD.MM.mmm)	END TIME(24hr)

SOURCE ☐ NON-SOURCE ☐ NEAR SHORE ☐ BEACH ☐

TARGET OIL		HABITAT TYPES		
HEAVY (dark black/brown)	☐	SARGASSUM WEEDLINE: OIL ☐ NO OIL ☐		OIL LINE NO SARGASSUM ☐
MEDIUM (brown to peanut color)	☐	DISPERSED SARGASSUM: OIL ☐ NO OIL ☐		OTHER:
LIGHT (silver/rainbow sheen, metallic brn)	☐	HEAVY CONTINUOUS OIL NO SARGASSUM	☐	
Emulsified (orange)	☐	DISPERSED PATCHES OF OIL NO SARGASSUM	☐	

LENGTH OF BOOM (FT):		SKIRT HIEGHT (INCHES):
START BURN TIME (24hr):	WEATHER DESCRIPTION	VISIBILITY (FT):
		SEA STATE:

ANIMAL OBSERVATION SUMMARY

ANIMAL TYPE	NUMBER OF ANIMALS	
	ALIVE	DECEASED
Sea turtles		
Dolphins		
Whales		
Manatees		
Sea birds		
Other (Specify):		

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

SIGHTING AND RETRIEVALS- ADDITIONAL INFORMATION

SPEC. #	SPECIES	CONDITION	PHOTOS (Y OR N)	LATITUDE	LONGITUDE	SURVEY PHASE	Comment (Y or N)

COMMENTS (Describe any interactions with equipment, species identification characteristics, behaviorial characteristics, ect.):

SPECIMEN DELIVERY INFORMATION

Date Speciment Delivered	**Vessel/Organization Name**	**Name of Individual Receiving**

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

MARINE SPECIES OBSERVATION FORM	ANIMALS SIGHTED: Y OR N ANIMALS RETRIEVED: Y OR N
OBSERVER #:	PAGE ____ OF ____
TRIP #:	DATE (MM/DD/YY):
SURVEY #:	SKIMMER TYPE:
OBSERVATION PLATFORM:	

LOCATION		
	START LAT/LONG (DD.MM.mmm)	START TIME(24hr)
	END LAT/LONG (DD.MM.mmm)	END TIME(24hr)

SOURCE ☐ NON-SOURCE ☐ NEAR SHORE ☐ BEACH ☐

TARGET OIL	HABITAT TYPES	
HEAVY (dark black/brown) ☐	SARGASSUM WEEDLINE: OIL ☐ NO OIL ☐	OIL LINE NO SARGASSUM ☐
MEDIUM (brown to peanut color) ☐	DISPERSED SARGASSUM: OIL ☐ NO OIL ☐	OTHER:
LIGHT (silver/rainbow sheen, metallic brn) ☐	HEAVY CONTINUOUS OIL NO SARGASSUM ☐	
Emulsified (orange) ☐	DISPERSED PATCHES OF OIL NO SARGASSUM ☐	

LENGTH OF BOOM (FT):		SKIRT HIEGHT (INCHES):
START BURN TIME (24hr):	WEATHER DESCRIPTION	VISIBILITY (FT):
		SEA STATE:

ANIMAL OBSERVATION SUMMARY

ANIMAL TYPE	NUMBER OF ANIMALS	
	ALIVE	DECEASED
Sea turtles		
Dolphins		
Whales		
Manatees		
Sea birds		
Other (Specify):		

The information contained herein is confidential and should be submitted to NOAA Resources at Risk Environmental Unit: nmfe.ser.emergency.consult@noaa.gov.

SIGHTING AND RETRIEVALS- ADDITIONAL INFORMATION

SPEC. #	SPECIES	CONDITION	PHOTOS (Y OR N)	LATITUDE	LONGITUDE	SURVEY PHASE	Comment (Y or N)

COMMENTS (Describe any interactions with equipment, species identification characteristics, behaviorial characteristics, ect.):

SPECIMEN DELIVERY INFORMATION

Date Speciment Delivered	**Vessel/Organization Name**	**Name of Individual Receiving**

The Marine Species Observation Form has been developed to document information pertaining to the sightings and retrieval of marine species during at-sea operations. The data forms are to be completed by the observer during each dedicated survey. The form will be used for all marine operations involving visual observers. In the event that a field is not applicable indicate this by writing "N/A". In the event that information is unobtainable or unknown write "UK" in the corresponding field and describe the circumstances in the comment section of the data form.

Animals Sighted: Circle yes or no to indicate if any animals were sighted during surveys associated with marine operations.

Animals Retrieved: Circle yes or no to indicate if any animals were retrieved during the course of the marine operation.

Observer #: This is a unique number assigned to each observer by the contractor. e.g. C45

Page ____ of ____: This field is used link all documents associated with each marine operation. Pages should be numbered consecutively and arranged in the order that sightings or retrievals occur during each survey.

Trip #: Trip numbers will be three digit numbers designated by the number of trips the observer has completed as part of this program. For example observer C45's first trip will be 001, the second trip will be 002 and so forth.

Survey #: This is a three digit number assigned by the observer on a trip basis for each of the surveys completed during a trip. A survey is an observation event focused on a single marine effort such as surface skimming or surface burning.

Date: Enter the date that the survey is commenced.

Vessel Name: Indicate the name of the vessel from which observations are being completed.

Type: Indicate the type of vessel from which the observations are being completed.

Location: The fields contained in this section of the data form will capture the start and end position and time relative to the survey platform in which the observer is completing the visual observation and species retrieval. Additional elements such as general location, qualitative description of the oil and habitat type will also be recorded by checking the most appropriate box.

Length of Boom: Recorded in feet this figure should be obtained by asking the Captains of the vessels towing the boom or from the burn team.

Skirt Height: Recorded in inches this field should be obtained from the Captains of the vessels towing the boom or from the burn team.

Start Burn Time: Using the 24hour clock format record the time that the burn in initiated by the burn team.

Weather Description: Indicate one of the following weather conditions: unknown, clear, partly cloudy, continuous layer of clouds, drizzle, rain, showers, thunderstorms, rain and fog, fog or thick haze, or other with a description in the comments section.

Visibility: Estimate in feet the distance of clear visibility across the survey area.

Sea State: Using the Beaufort scale describe the sea state present during the survey.

Animal Observation Summary: This section is used to summarize the condition of each type of animal encountered during a survey.

Sighting and Retrieval-Additional Information: This section is used to log each specimen encountered during the survey.

Spec. #: Indicate the three digit specimen number assigned by the observer on a per survey basis for each animal sighted and/or retrieved during the survey.

Species: Indicate the common name of the species sighted and/or retrieved.

Condition: Note whether the animal was alive "A", deceased "D", or unknown "UK" upon sighting and separated by a hyphen whether the animal was retrieved "R" or stayed "S" at sea. For example if a live animal is encountered and it is retrieved the observer would indicate A-R in the condition field. If the animal is not retrieved and stays at sea the observer must use the comment section do describe the circumstances for leaving the animal at sea.

Photos: Indicate with a "Y" or "N" if digital images of the specimen were taken.

Latitude and Longitude: Using the format of DD.MM.mmm indicate the position of the vessel when the animal is retrieved. In the event that an animal is not retrieved indicate the position of the survey vessel, approximate the distance to the animal in feet and indicate the information in the comment section.

Survey phase: Indicate one of the following:

1. survey of material in front of trawlers
2. survey of material in boomed area
3. survey of material trawling behind boom

Comments: Indicate with a "Y" or a "N" whether coments have been included pertaining to the specimen.

Comments: This section should be used to document all observed interactions between animals and gear, list key identification characteristics, to describe behavioral characteristics and any other notable information pertaining to the survey. All information relative to a specimen should be identified by the specimen number.

Specimen Delivery Information: This section is used to document the chain of custody for all specimens that are either transferred at sea or delivered to a shore based facility.

Date Specimen Delivered: Indicate the data that the specimen was transferred or delivered (mm/dd/yy).

Vessel/Organization Name: Indicate the name of the vessel or organization that receives the specimen.

Name of Receiving Individual: Indicate the name of the individual that takes possession of the specimen.

OBSERVER PROTOCOL
(subject to refinement and change as more data is gathered)

The observer will be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. A general header data collection sheet will be filled out by the observer that includes information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey (see powerpoint for further elaboration)

Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area/container and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to arrange transport the sea turtle back to land.

BEST MANAGEMENT PRACTICES TO PROTECT SEA TURTLES AND MARINE MAMMALS

Skimmer Operations:

Sea Turtles

- Use of oil skimmers can adversely affect sea turtles through possible capture and/or entrainment.

Best Management Practices To Reduce Skimmer Impacts to Sea Turtles

- Collection of all live and dead turtles needs to be conducted according to the attached protocols (attachment 1).
- The best possible mitigative measure would be to have turtle rescue vessels (with trained rescue personnel, if available) accompany selected skimming task forces to search the material to be skimmed and collect all turtles found in the area, before skimming operation begin. If this is not possible then the following should be considered:
    - Have a trained observer (if available) or a crew member dedicated to looking for sea turtles (and marine mammals) during skimming operations and record each sighting event, including GPS location, species (if known), description of encounter on the attached form (attachment 2).
    - If possible and if the skimming platform allows (i.e. size of vessel) and there is no risk to human safety collect live and dead sea turtles according to attachment 1.
    - Contact the Wildlife Hotline (866-557-1401) or your supervisor to report the turtle to the Wildlife Branch immediately.
    - If possible all Sargassum that is not-oiled or is only very lightly oiled should be avoided.

Marine Mammals:

- Use of oil skimmers can adversely affect marine mammals through possible capture and/or entrainment.

Best Management Practices To Reduce Skimmer Impacts to Marine Mammals

- Have a trained observer, if available, or a crew member dedicated to looking for marine mammals that maybe affected by equipment or are impacted by oil.
- Contact the Wildlife Hotline (866-557-1401) or your supervisor to report any marine mammal that is impacted by skimming operations or that has signs of oil impacts to the Wildlife Branch as quickly as possible.
- If possible avoid skimming operations where marine mammals have been spotted, if a marine mammal is spotted during operations, if possible, stop operations until the animal is outside the operations area.

In-Situ Burning (Offshore):

Sea Turtles

- Sea turtles can be adversely affected during corralling of oil and oiled Sargassum or other converged material by being herded by the booms into oil, turtles may also be in the oil already whether or not there is Sargassum present. Any live turtles in the boomed oil and/or oiled Sargassum or other converged material will be burned alive when the oil is ignited

Best Management Practices to Reduce In-Situ Burns Impacts to Sea Turtles

- Collection of all live and dead turtles needs to be conducted according to the attached protocols (attachment 1).
- The best possible mitigative measure would be to have turtle rescue vessels (with trained rescue personnel, if available) accompany the burn taskforce into the burn box and to search all material to rescue turtles prior to burning, while oil is being boomed or otherwise is awaiting burning. If this is not possible then the following should be considered:
    - Send turtle rescue vessels (with trained rescue personnel, if available) into the next day's projected burn box to search for and rescue turtles. Feasibility will depend on the size of the projected area and whether material has already been boomed or otherwise collected.
    - Have a trained observer (if available) or a crew member dedicated to looking for sea turtles (and marine mammals) during corralling operations and record each sighting event, including GPS location, species (if known), description of encounter on the attached form (attachment 2).
    - Contact the Wildlife Hotline (866-557-1401) or your supervisor to report the turtle to the Wildlife Branch immediately.
    - If possible all Sargassum that is not-oiled or is only very lightly oiled should be avoided.
    - If possible a survey should be conducted in the burn area after the burn is complete and all dead sea turtles should be counted and if possible collected.

Marine Mammals:

- Marine mammals can be adversely affected by in-situ burns if they are in the burn area during burning. It is expected that marine mammals will avoid the area once the oil is ignited.

Best Management Practices to Reduce In-Situ Burns Impacts to Marine Mammals

- Have a trained observer, if available, or a crew member dedicated to looking for marine mammals that maybe affected by the burn or are impacted by oil.

- Contact the Wildlife Hotline (866-557-1401) or your supervisor to report any marine mammal that is impacted by burn operations or that has signs of oil impacts to the Wildlife Branch as quickly as possible.
- If possible avoid burn operations where marine mammals have been spotted, if a marine mammal is spotted during operations, if possible, stop operations until the animal is outside the operations area.

Sea Turtle At-Sea Retrieval Protocol

All live and dead sea turtles (includes oiled turtles) should be recorded and retrieved (if possible) and taken to an onshore facility for cleaning and rehabilitation or salvage/necropsy. Animals can be netted at the surface using dipnets or other hoists. Once onboard, sea turtles need to be carefully handled and transported to shore as soon as possible, in accordance with NMFS guidance.

BE SURE TO USE APPROPRIATE PERSONAL PROTECTIVE EQUIPMENT
(Gloves, Tyvek suits, boots, and goggles if necessary)

Sea Turtle Retrieval Kit (1 per boat) Includes:

- Large Diameter dip net
- Large Rubbermaid Crate
- Large Cotton Towel
- PPE (Gloves, Tyvek, goggles)

1. Bring turtle on board (dipnets are useful for small turtles less than ~3 ft length). Do not pick up turtles by their flippers, but rather, lift them by grasping both sides of the carapace. If the turtle attempts to evade capture, do not pursue. When handling turtles, be aware of the head and flippers - they will bite and have powerful flippers with claws.

2. Determine position at sea (latitude/longitude coordinates as DD.DDDD).

3. Contact the Wildlife Hotline (866-557-1401) or your supervisor to report the turtle to the Wildlife Branch as quickly as possible.

4. Get the towel wet and put it in the bottom of the transport crate. Place the turtle on top of the towel. Put the crate with the turtle inside in the shade. Do not add more water to the crate.

5. If the turtle appears to be dead, follow the same process but roll the towel up to raise the hind end a few inches higher than the head. Keep the crate in the shade. (Note: live turtles may appear comatose for up to 24 hours!)

6. Deliver the sea turtle (live or dead) to the designated Response Center. Transport turtles in individual containers when possible. Be sure to provide location, date and time data, and a chain of custody form with each turtle.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Fwd: 2nd file --**
Date: July 4, 2010 11:49:24 AM CDT
To: Karla Reece <Karla.Reece@noaa.gov>

▶ 1 Attachment, 1.6 MB

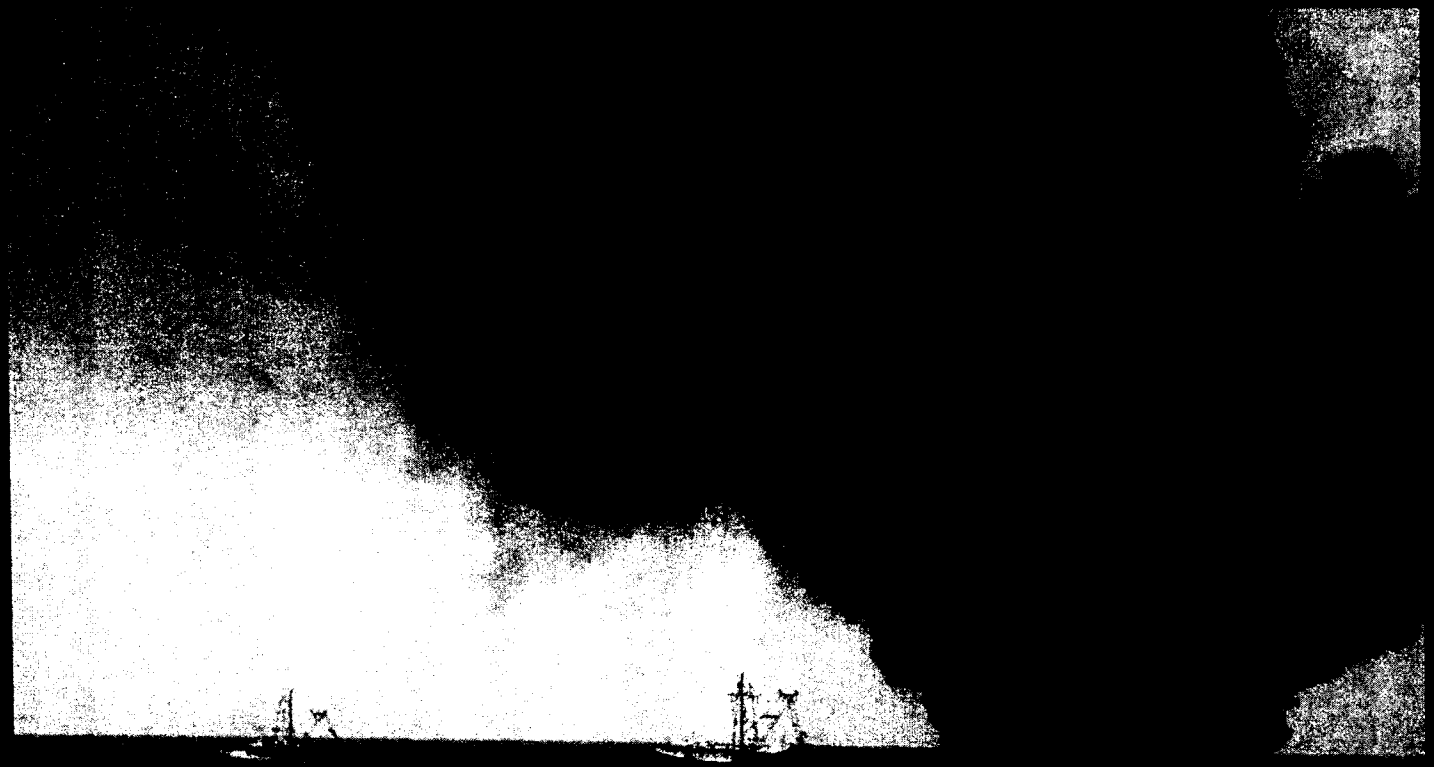
FYI

Begin forwarded message:

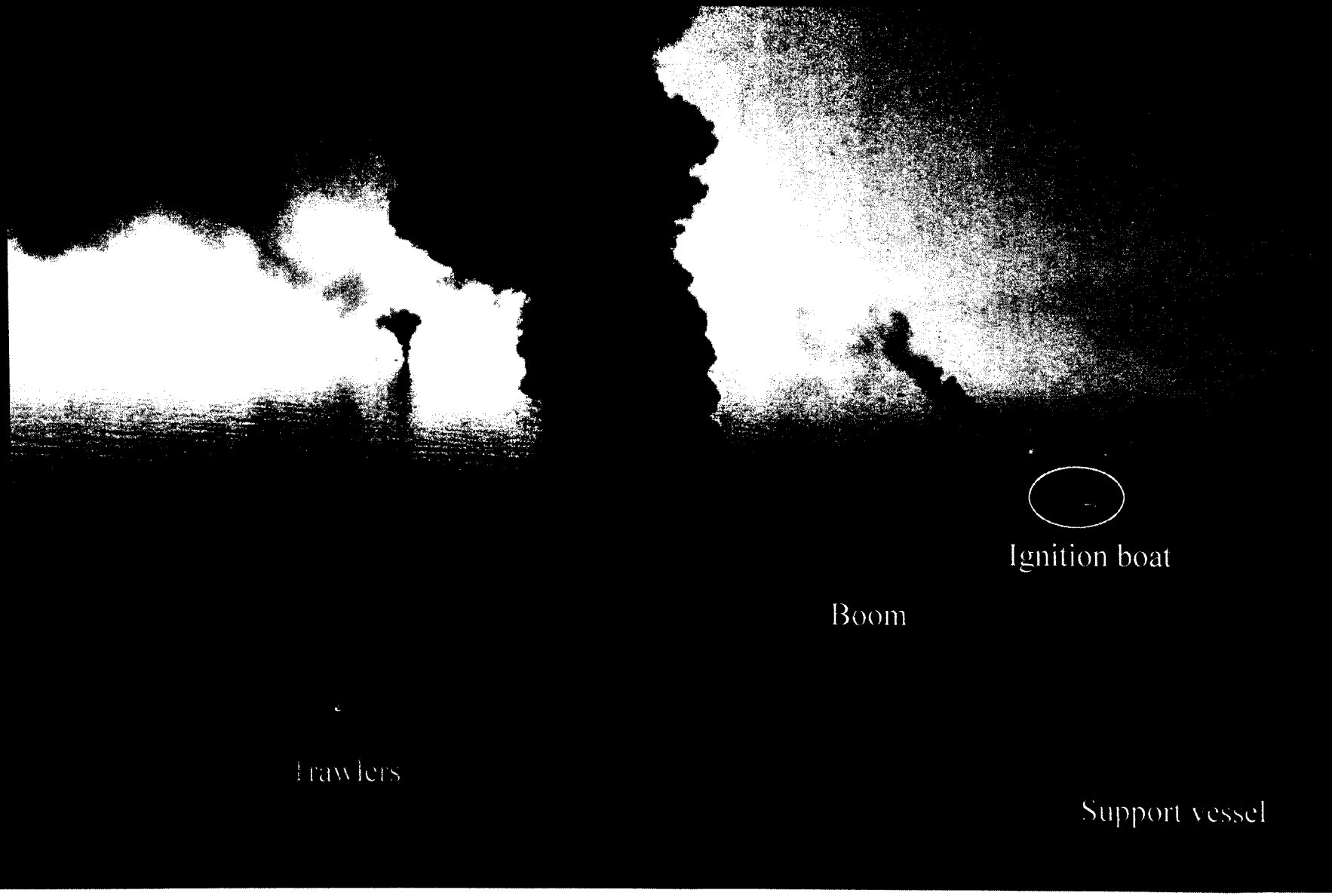
> **From:** Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>
> **Date:** July 4, 2010 10:31:41 AM CDT
> **To:** "Gelakoska, Marianne LCDR" <Marianne.M.Gelakoska@uscg.mil>, John Carlson <John.Carlson@noaa.gov>, Ed Levine <Ed.Levine@noaa.gov>, Teri Rowles <Teri.Rowles@noaa.gov>, firemandrew876@gmail.com, brian.w.seekins@uscg.mil, William Whitmore <William.Whitmore@noaa.gov>, Pamela Lawrence <Pamela.Lawrence@noaa.gov>
> **Subject: 2nd file --**
>
> Here is the training ppt. It was too big to send in the last file. Thank you ! A

In-situ Burn ....pdf (1.6 MB)

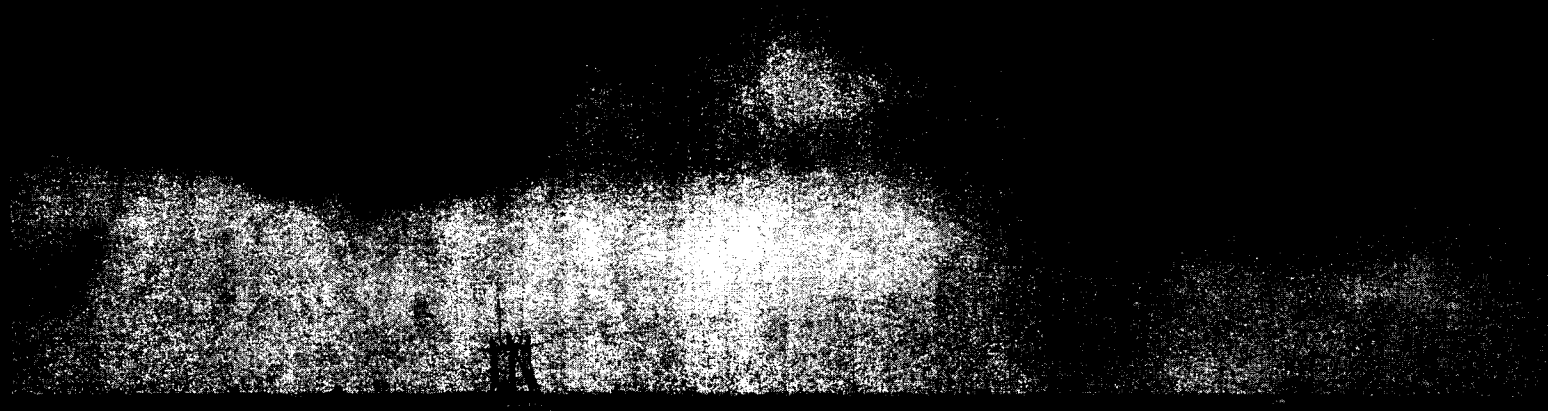
In-situ Burn Team Observer Training



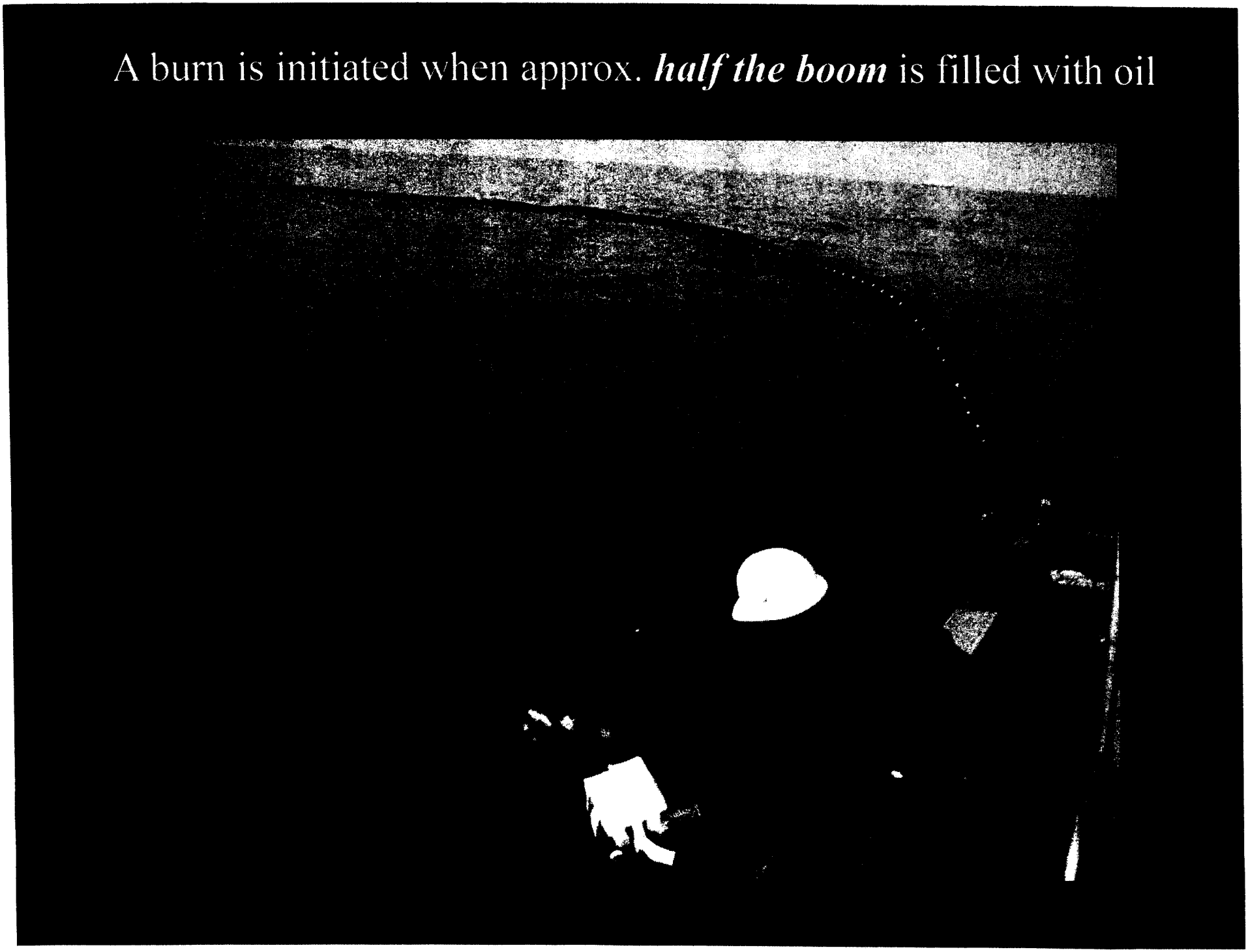
A ***burn team*** includes a pair of trawlers pulling a boom, an ignition boat, and a support vessel (crew boat)



Paired trawlers pull a 500' ***boom*** at approx. ½ knot to concentrate oil for burning



A burn is initiated when approx. ***half the boom*** is filled with oil



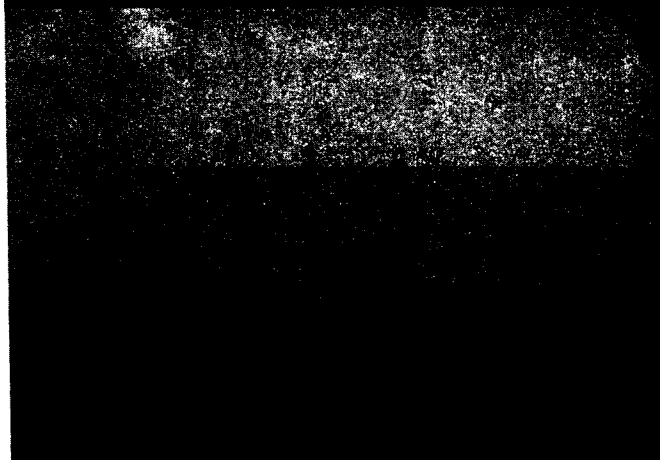
Trawlers continue to move forward ***during the burn*** to add fuel and prolong the burn as long as possible.

Personnel on the ignition boat ***monitor several booms*** (pairs of trawlers) simultaneously to determine when the oil is suitable for burning.

Ignition boat

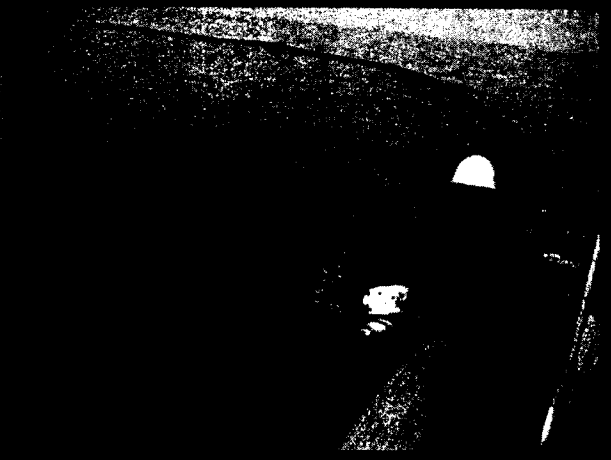
Once ignition boat personnel determine the oil is ready for ignition , a ***sea turtle survey*** is initiated

A ***sea turtle survey*** includes monitoring of 3 areas prior to the burn including: 1) the area in front of the trawlers, 2) oil concentrated in the boom, and 3) any oil trailing behind the boom.



Oil in front of trawlers-

The oil in front of the trawlers may end up in the fire as the trawlers move forward



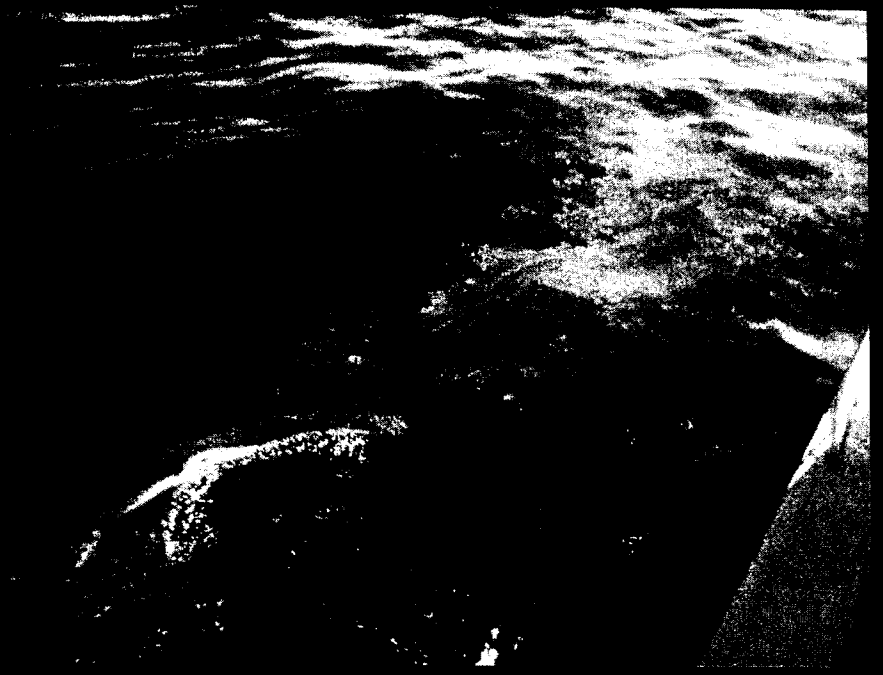
Oil concentrated in boom-

Oil trailing apex of boom-

Fires occasionally jump over the apex of the boom if the oil is relatively continuous and burns outside the boom

Observers will note ***the type of oil*** encountered during the survey

Heavy (dark black/brown)



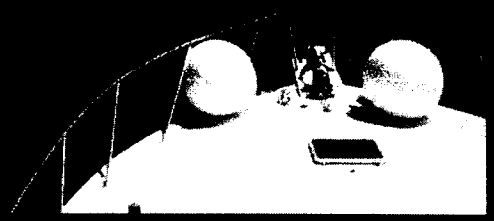
Brown to peanut color

Observers will note ***the type of oil*** encountered during the survey

Light (silver/rainbow sheen, metallic brn)

Emulsified (orange)

Observers will note ***the type of habitat*** encountered during the survey

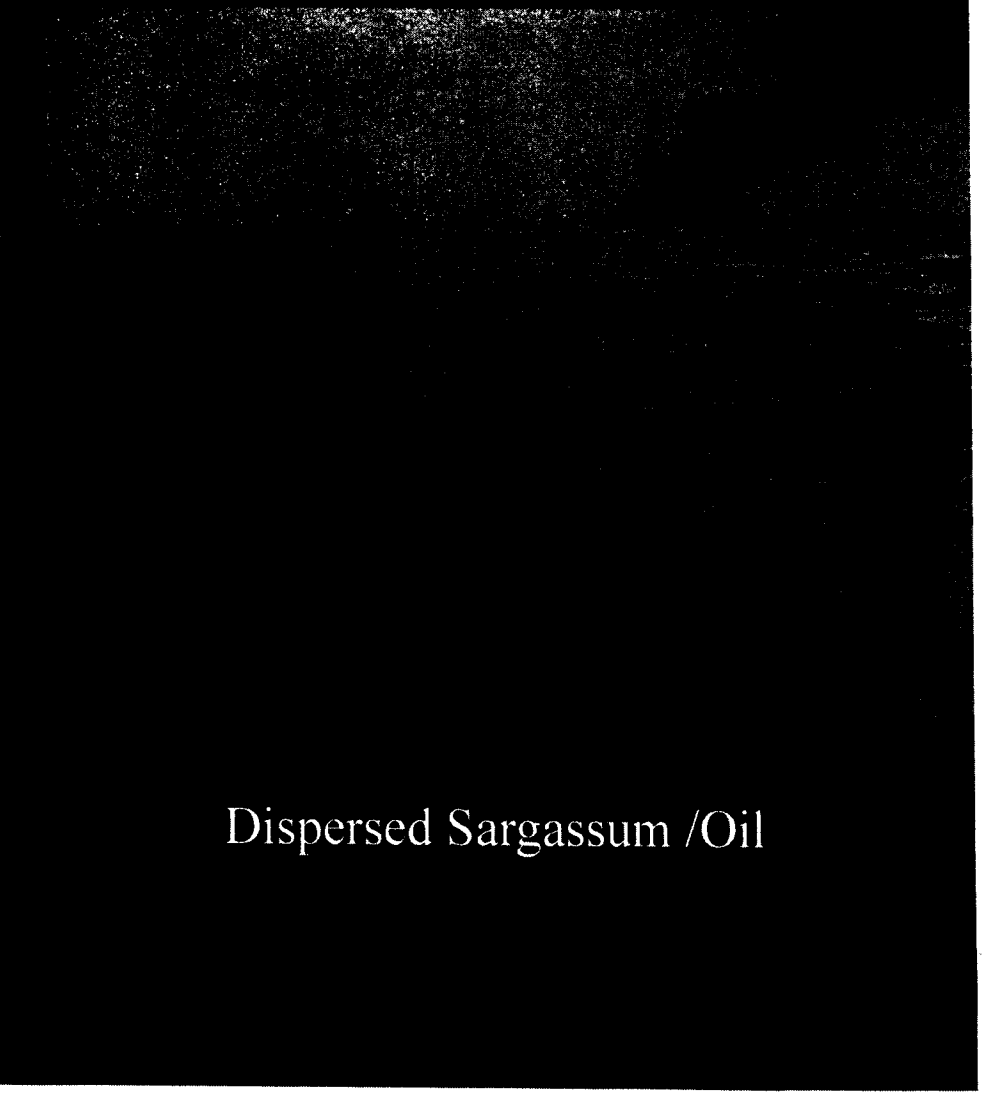


Sargassum weedline/ No oil

Sargassum weedline/ Oil

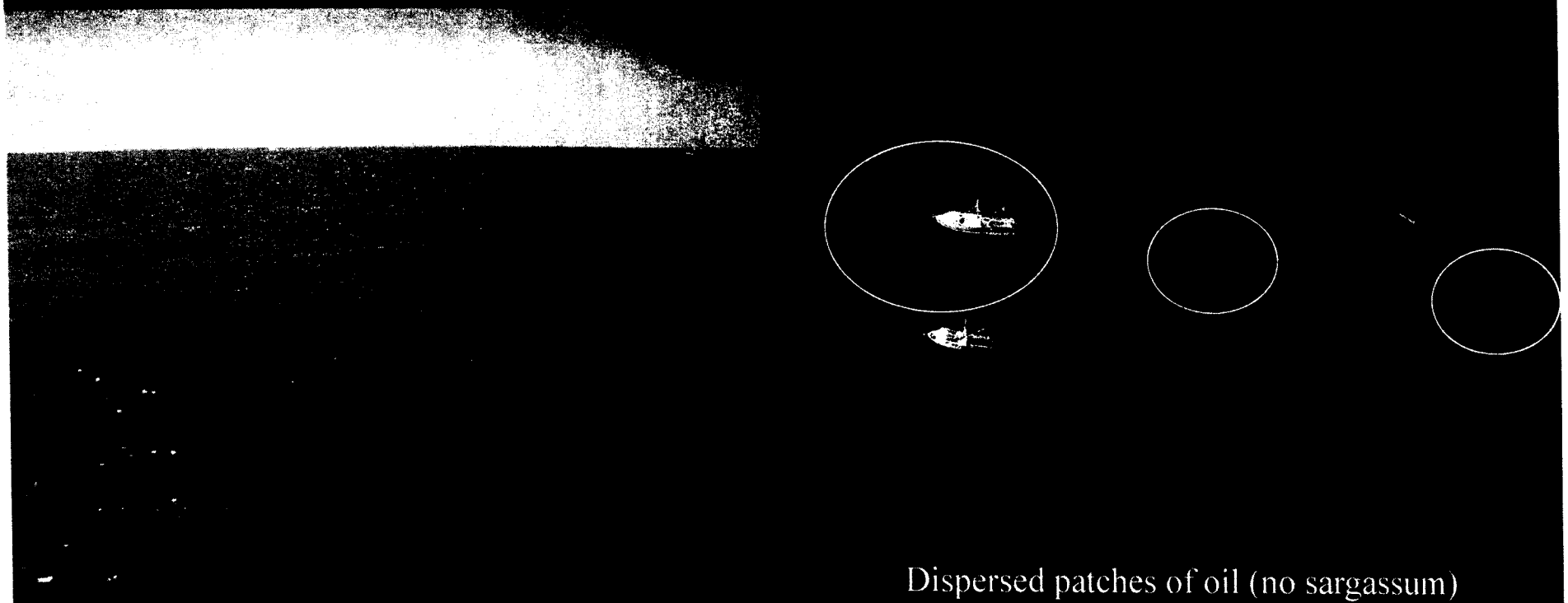
Observers will note ***the type of habitat*** encountered during the survey

Dispersed Sargassum/ No oil



Dispersed Sargassum /Oil

Observers will note ***the type of habitat*** encountered during the survey



Dispersed patches of oil (no sargassum)

Heavy continuous oil (no sargassum)

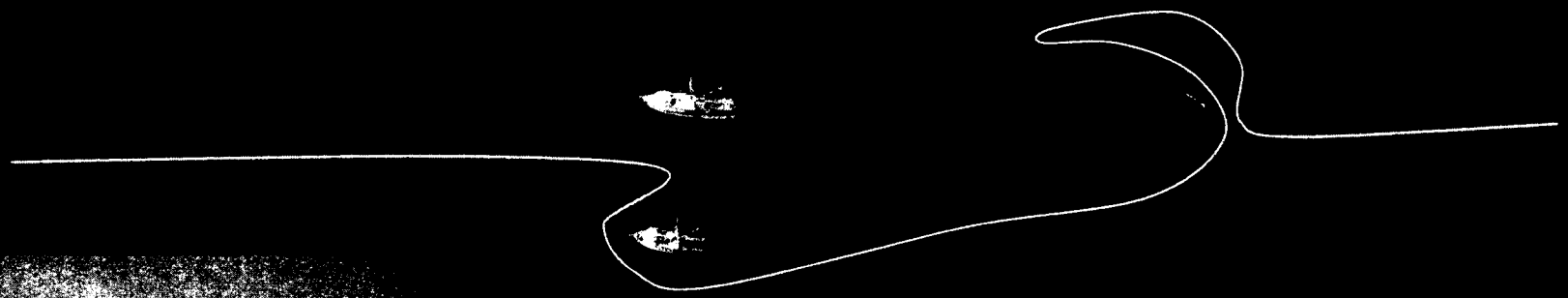
We worked in several of these areas, but I don't have a good photo

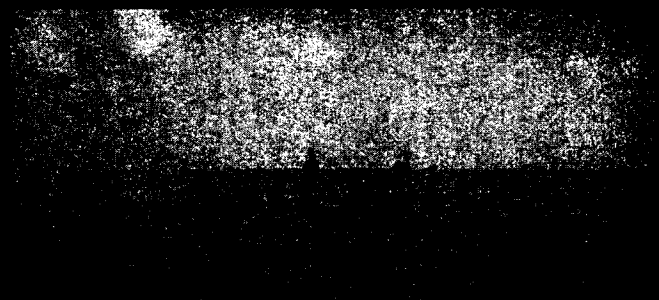
Observers will monitor for the presence of pelagic phase sea turtles from the foredeck of the ignition boat

Example of pelagic phase sea turtle in ***healthy sargassum weedline***

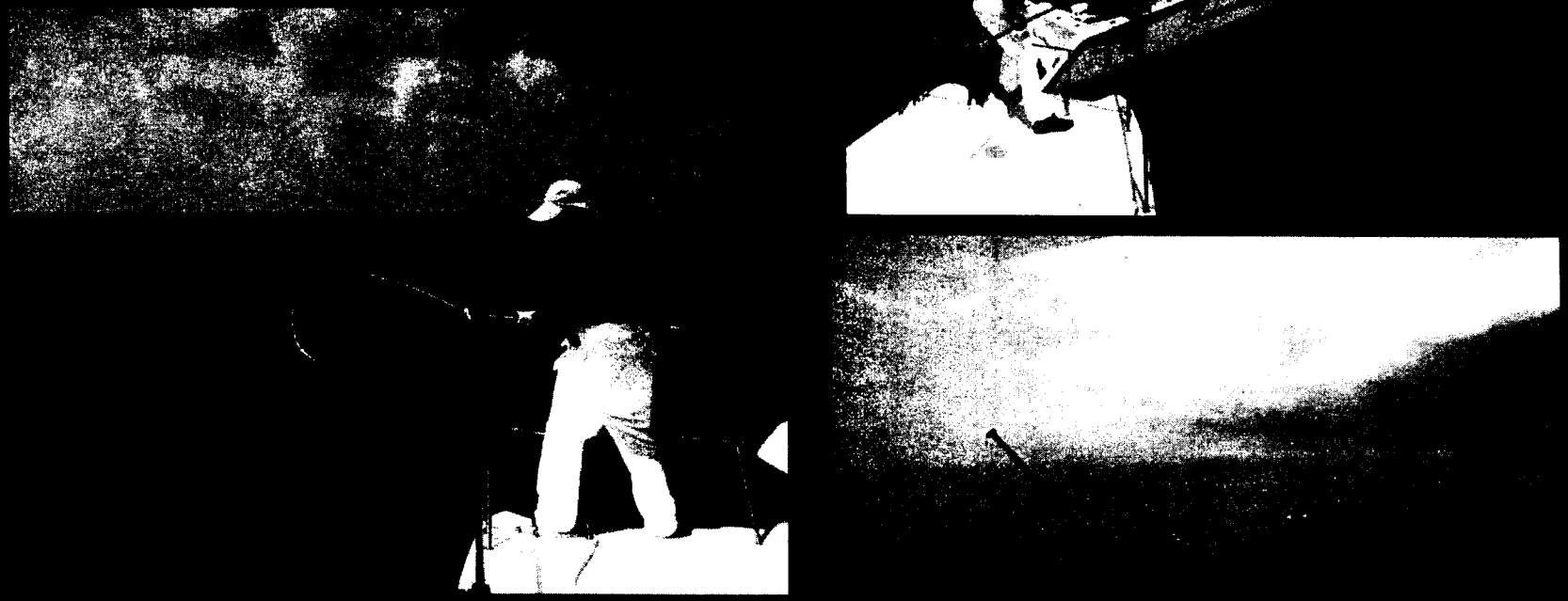
Example of pelagic phase sea turtle in ***oiled sargassum weedline***

A ***sea turtle survey*** will include the monitoring of 3 areas prior to the burn including: 1) the area in front of the trawlers (700 m), 2) oil concentrated in the boom, and 3) any continuous oil trailing behind the boom.





Sea turtles encountered during the survey will be captured with a dip net and transported to the support vessel



Support vessel with 2 ignition boats alongside

Once the sea turtle survey is completed and the 3 survey areas are clear of sea turtles, U.S. Coast Guard personnel will be given permission to begin ignition.

From: John Carlson <John.Carlson@noaa.gov>
Subject: **revised contract**
Date: July 4, 2010 12:35:07 PM CDT
To: teri Rowles <Teri.Rowles@noaa.gov>
Cc: Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>
▶ 1 Attachment, 79.5 KB

BP observer ...doc (79.5 KB)

STATEMENT OF WORK

C.1. Suggested Contractor
A.I.S., Inc
89 North Water Street
New Bedford, MA 02740
774-265-0596
www.aisobservers.com

C.2. Project title
Observer coverage of skimmer (including alternative technologies) and in situ burn vessel units associated with oil removal in the Deep Water Horizon oil spill

C.3. Background and objective
Sea turtles are particularly susceptible to population declines because of their vulnerability to anthropogenic impacts during all life-stages. Commercial and recreational activities can have an adverse effect on sea turtles. For example, various methods used in fisheries, including trawling, pot fisheries, longlines, and gillnets are known to cause fatal interactions with sea turtles. Dredge and fill operations and underwater explosions can cause fatal injuries. As such, many species are listed as threatened or endangered under the United States Endangered Species Act (ESA). Additional background information on the status of sea turtle species can be found in a number of published documents, including recovery plans for the Atlantic green sea turtle (*Chelonia mydas,* NMFS and USFWS 1991a), hawksbill sea turtle (*Eretmochelys imbricata,* NMFS and USFWS 1993), Kemp's ridley sea turtle (*Lepidochelys kempii*, USFWS and NMFS 1992), leatherback sea turtle (*Dermochelys coriacea,* NMFS and USFWS 1992), loggerhead sea turtle (*Caretta caretta,* NMFS and USFWS 1991b).

In efforts to reduce the level of surface oil related to the Deep Water Horizon Oil Spill, the use of in situ burns of oil and gas on the surface of U.S. territorial seas in the Gulf of Mexico has the potential interact and take ESA listed sea turtles including Kemp's ridley, loggerhead but also may include green and leatherback sea turtles. This take is without authorization for the "take" of listed species as required by the ESA. 16 U.S.C. § 1638(a)(1)(A) (prohibiting any person from committing the "take" of listed species "within the United States or the territorial sea of the United States"); 16 U.S.C. § 1532(19) ("The term 'take' means to harass, harm, pursue, attempt to engage in any such conduct."). Moreover, the use of oil skimmers can adversely affect sea turtles through possible capture or entrainment. The magnitude of these marine events is not currently known. Data necessary to estimate the "take" of sea turtles during these activities is required to meet the mandates of the ESA.

C.4. Scope
This solicitation is for the procurement by British Petroleum of "Contractor" to furnish the necessary personnel, material, equipment, services and facilities (except as otherwise specified) to perform the following the Statement of Work/Specifications (see sections **C.6** and **C.7**.). Extensions to this completion date (e.g., due to prolonged periods of inclement weather) may be requested by the Contractor but must be approved by British Petroleum.

C.5. Period of performance

It is anticipated that the Contractor will complete all work by December 31, 2010. However, given the potential for unforeseen delays (e.g., due to inclement weather), the period of performance shall range from time of award to October 31, 2011

C.6. Description of work

The National Marine Fisheries Service (NMFS) requires the recruitment, selection, supervision, and outfitting of observers to fulfill the obligations of Section 7 and 9 of the Endangered Species Act (see sections **C.2**). The Endangered Species Act requires NMFS to monitor and report on all levels of sea turtle interactions with commercial activities including but not limited to commercial fishing, dredging and dredge spoil dumping, and oil platform removal. NMFS categorizes all of these activities based on the human-caused level of serious injury or mortality of sea turtles.

The work required under this contract is to collect data needed to report levels of interactions with sea turtles and other protected species bycatch. Approximately 100% percent and 25% of the in situ burn and skimmer effort, respectively should be observed by month and area throughout the contracted period. The Wildlife Branch, Operations will work with the Contractor in determining which vessels should be selected, how data will be collected, edited, and submitted, and answer questions or deal with concerns of the BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill ("Unified Command"). Observers shall record scientific data on marine species, observe in situ burn and skimmer, and collect and return captured sea turtles according to protocols developed by Wildlife Branch, Operations.

1. Objectives

The primary goal of this Program is to report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources occurring during the course of in situ burn and skimmer operations (including alternative skimming technologies) in U.S. territorial seas in the Gulf of Mexico. Its main objectives are, in order of priority, to: 1) obtain reliable estimates of incidental serious injury and mortality of sea turtles; 2) where possible, remove and coordinate the collection and transport of injured sea turtles as a result of contamination by oil or skimmer activities to appropriate rehabilitation facilities and 3) record data on other protected species bycatch and discard levels and aspects and procedures of the in situ burn and skimmer activities.

2. Scope of Work

The contractor shall furnish the necessary personnel, materials, services, facilities (unless otherwise specified in Task Orders), and otherwise do all tasks necessary to perform the work and services called for under this Scope of Work.

The contractor, as an independent contractor and not as an agent of the US Government or BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill shall furnish as may be required and ordered by BP America, Inc., services which include environmental, biological, and operations data collection. These activities shall be performed in accordance with the Statement of Work and selected Task Orders and shall be accomplished by contractor personnel in each of the following categories, having qualifications as represented by the

contractor in its proposal listed as follows:

Living Resource Sampling and Environmental Data Collection
- Acquire and provide information on in situ burn and skimmer operations and logistics for refinement of sampling design
- Conduct field sampling and data collection on in situ burn and skimmer operations, environmental conditions
- Report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources
- Data quality control

Program Support Services
- Assist in the preparation of program specifications and designs
- Provide logistics and operational support for observer deployment
- Equipment operation and maintenance

3. Program Coordination
The contractor shall provide overall administrative and contractual support including insurance and liability coverage, and employ the mobile workforce of contracted observers, and other contracted personnel who will collect data and assist in activities required. The contractor shall be responsible for adherence to all federal, state, local, and site-specific safety regulations.

Sampling and data collection will be performed on a flexible work schedule depending on in situ burn and skimmer operations. Consequently, precise work hours or work dates cannot be determined in advance. Work schedules may involve shift or weekend periods.

Sampling will be conducted under a variety of weather and working conditions.

This contract requires 100% percent and 25% observer coverage of the in situ burn and skimmer effort, respectively for each region. However, this level may be modified by the Wildlife Operations/Marine Mammal/Sea Turtle unit accordingly prior to or during operations subject to program coverage needs and the vagaries of in situ burn and skimmer operations. Initial focus of observer coverage should be on those vessel or operations with the highest risk to sea turtles. In addition, the distribution of observers and port assignments may change during the course of this contract as time progresses. It is understood that factors such as weather, changes to in situ burn and skimmer operations, and other unforeseen circumstances may interfere with observer effort and is taken into consideration in program design and data analysis. The Contractor shall determine the number of observers needed per region to meet the initial target coverage rate. The Contractor shall maintain an accurate real time assessment of effort through coordination with the Unified Command for the Deepwater Horizon Oil Spill. Observers shall be resident in the area, either on land or on a staging vessel and travel to meet vessels to meet the coverage needs.

In general, during the in situ burn operations observers shall be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. Data forms will be filled out by the

observer that include information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey.

All attempts will be made to recover sea turtles. Sea turtles that cannot be captured due to safety or other reasons will be recorded. Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to transport the sea turtle back to land. The Contractor in collaboration with the Wildlife Operations/Sea Turtle/Marine Mammal Unit may need to make further modifications to the data form and sampling procedures as more information is gathered

As of July 3, 2010, only an initial assessment of the risk to sea turtles and other protected species has been provided. The Contractor will need to make further observations and modify coverage and directives as more information is gathered. All skimmers have the potential to interact with live sea turtles through impingement and entrainment, and also interact with injured or dead wildlife. The following table ranks the relative risk of skimmers in determining observer coverage to monitor operations and recover sea turtles. Ideally, some data would be collected on all medium and high risk skimming operations. This assessment is based on the available information.

HIGH	MEDIUM	LOW
Big Gulps (offshore and near shore)	TMT A Whale	Dutch arm[f]
Mini-Gulps (passes)	Boom trawlers with floating weirs in heavy oil (offshore)[c]	Drum weirs
Ocean busters[a]	Boom trawlers with sorbents[e]	Disc weirs
Current busters	Belt/mechanical skimmers	Rope mops
Harbor busters		Floating weirs in light-medium oil
USCG floating weir[b]		
Fishing type trawl net boom[d]		

[a] The configuration of all busters is the same, the only difference is size (ocean>current>harbor).
[b] Enclosed net configuration with similar concerns to the busters.
[c]The greatest risk is to juvenile (smaller) sea turtles. The greatest potential risk to turtles from skimmers is becoming entrapped in the boom and funneled toward the weir.
[d]May not be is use.
[e]The ration of boom (above) to skirt (below) is about 1/3 above water to 2/3 below water. The skirt length ranges between 12 in to about 3 ft. Longer skirts pose greater risks than smaller

skirts and could entrap floating or debilitated sea turtles.
[f]Are reported to have debris exclusion devices installed that would also protect sea turtles. Needs to be verified once the arms arrive on scene.

4. Places of Delivery/Performance
The contractor shall perform tasks under the contract in Gulf of Mexico ports and aboard vessels or at set net sites, dependent on the in situ burn and skimmer operations, or as appropriate, at the contractor's facilities.

The following is a representative listing of probable observer operation locations:
1) Houma, Louisiana
2) Mobile, Alabama
3) Venice, Louisiana
4) Port Fourchon, Louisiana

5. Description of Labor
The following direct labor categories are required to perform the anticipated contract. All categories are described in a generic manner; however, each category is required to have background, experience, and education.

Observer Coordinator--Task coordinator shall have experience in the scientific environment with emphasis on observer management and deployment, which will be required in each specific Task Order. Specific duties are organizing and controlling the contracted service, managing and directing subordinates and subcontracted observers, reporting to the contract technical management and controlling the tasks' administrative, personnel, and operations activities.

Experience required-- At least 3 years experience in managing such tasks is required.

Education required--A Bachelor's degree or higher related to the requirements of the specific Task Order is required.

Fishery Observers--Collects data as required in the performance of the contract. Definitions and levels are defined by the Department of Labor. See Section C.2.6.a. below for required observer experience and education.

Fishery Observer--Independently executes duties, resolving exceptions and special problems or to make adaptations in the procedures. Collects observational, environmental, and biological data according to detailed procedures. According to established standards and detailed procedures, records data on appropriate paper or electronic forms and logs. Maintains field equipment and supplies. May enter and transfer data electronically.

6. Observer qualifications, responsibilities, and duties
At a minimum, 75% of the observer workforce shall have a Bachelor's degree in the natural sciences. Individuals that do not meet degree requirement shall be evaluated based upon observing experience, academic standing, personality attributes, physical fitness, and overall experience. All observers must meet the following standards:

a. Academic background and experience. Candidates must have a Bachelor's or higher degree in the biological sciences from an accredited college or university with a minimum of 30 semester hours in applicable biological sciences, and at least one undergraduate course in math, statistics, or computer science OR 3 years experience as skipper or first mate.

b. Personality attributes. The mental and emotional demands on observers are rigorous. Candidates shall be mature and capable of working independently without direct supervision under stressful conditions. They shall be self-motivated, possess good judgment, and be able to work and live in close quarters with other individuals in a professional and respectful manner.

c. Good physical condition. All observers must have passed a complete physical examination within the 6 months prior to deployment.

d. CPR. Observers must be CPR-trained and have a current certification prior to the training. It should be the observer's responsibility to ensure proper re-certification or renewal to maintain certification. A copy of the CPR card shall be provided to the Contractor by the observer.

f. Background Checks. Criminal background checks will be performed for each observer. The COTR will review the results on a case-by-case basis and retains the right to deny accepting a candidate based on the information provided.

g. Observer Training. All observers must successfully complete the training course.

h. Standards of Conduct for Observers. The observer must avoid any behavior that could adversely affect the confidence of the public in the integrity of the Observer Program. Observers shall conduct themselves in a manner that will reflect favorably upon the Observer Program by maintaining high standards of honesty, integrity, impartiality, and conduct in all situations. Observers:

(1) Must diligently perform their assigned duties;
(2) Must accurately record their sampling data, write complete reports, and report honestly;
(3) Must protect the confidentiality of all collected data and observations made on board vessels. Observers shall not use any data collected under this contract for purposes other than the performance of this contract nor shall observers retain, release, reproduce, distribute, or publish any of the data without prior approval;
(4) Must refrain from engaging in any illegal actions or any other activities that would reflect negatively on their own or others' image(s) as professional observers or on the Observer Program as a whole. This would include, but is not limited to:
(a) Engaging in excessive drinking of alcoholic beverages;
(b) Engaging in the use or distribution of illegal drugs;
(d) Engaging in criminal, dishonest, disrespectful, or disgraceful conduct that may be perceived as prejudicial to the Government.

Behavior that is contrary to these standards or to the intent of these standards would be considered grounds for disqualifying the offending observer or termination of any observer

subcontract. Falsification of observer data is grounds for dismissal.

C.7. Estimated budget

Period of contract= 6 months

-Costs include all observer costs for up to (b) individuals (includes salary, travel, equipment, hotels, taxis, etc.)

-Program management includes (b) (4)

-Office personnel includes (b) (4)

Estimated Budget= (b) (4)

From: John Carlson <john.carlson@noaa.gov>
Subject: **Re: final observer statement of work**
Date: July 5, 2010 7:55:04 AM CDT
To: dwh.mmstlogistics@noaa.gov
Cc: teri Rowles <Teri.Rowles@noaa.gov>, Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>
▶ 1 Attachment, 76.5 KB

sorry bout that. attached this time

BP observer ...doc (76.5 KB)
On Jul 5, 2010, at 7:35 AM, John Carlson wrote:

> Kathy
>
> final version of the observer statement of work
>
> John

STATEMENT OF WORK

C.1. Suggested Contractor

A.I.S., Inc
89 North Water Street
New Bedford, MA 02740
774-265-0596
www.aisobservers.com

C.2. Project title

Observer coverage of skimmer (including alternative technologies) and in situ burn vessel units associated with oil removal in the Deep Water Horizon oil spill

C.3. Background and objective

Sea turtles are particularly susceptible to population declines because of their vulnerability to anthropogenic impacts during all life-stages. Commercial and recreational activities can have an adverse effect on sea turtles. For example, various methods used in fisheries, including trawling, pot fisheries, longlines, and gillnets are known to cause fatal interactions with sea turtles. Dredge and fill operations and underwater explosions can cause fatal injuries. As such, many species are listed as threatened or endangered under the United States Endangered Species Act (ESA). Additional background information on the status of sea turtle species can be found in a number of published documents, including recovery plans for the Atlantic green sea turtle (*Chelonia mydas,* NMFS and USFWS 1991a), hawksbill sea turtle (*Eretmochelys imbricata,* NMFS and USFWS 1993), Kemp's ridley sea turtle (*Lepidochelys kempii*, USFWS and NMFS 1992), leatherback sea turtle (*Dermochelys coriacea,* NMFS and USFWS 1992), loggerhead sea turtle (*Caretta caretta,* NMFS and USFWS 1991b).

In efforts to reduce the level of surface oil related to the Deep Water Horizon Oil Spill, the use of in situ burns of oil and gas on the surface of U.S. territorial seas in the Gulf of Mexico has the potential interact and take ESA listed sea turtles including Kemp's ridley, loggerhead but also may include green and leatherback sea turtles. This take is without authorization for the "take" of listed species as required by the ESA. 16 U.S.C. § 1638(a)(1)(A) (prohibiting any person from committing the "take" of listed species "within the United States or the territorial sea of the United States"); 16 U.S.C. § 1532(19) ("The term 'take' means to harass, harm, pursue, attempt to engage in any such conduct."). Moreover, the use of oil skimmers can adversely affect sea turtles through possible capture or entrainment. The magnitude of these marine events is not currently known. Data necessary to estimate the "take" of sea turtles during these activities is required to meet the mandates of the ESA.

C.4. Scope

This solicitation is for the procurement by British Petroleum of "Contractor" to furnish the necessary personnel, material, equipment, services and facilities (except as otherwise specified) to perform the following the Statement of Work/Specifications (see sections **C.6** and **C.7**.). Extensions to this completion date (e.g., due to prolonged periods of inclement weather) may be requested by the Contractor but must be approved by British Petroleum.

C.5. Period of performance

It is anticipated that the Contractor will complete all work by December 31, 2010. However, given the potential for unforeseen delays (e.g., due to inclement weather), the period of performance shall range from time of award to October 31, 2011

C.6. Description of work

The National Marine Fisheries Service (NMFS) requires the recruitment, selection, supervision, and outfitting of observers to fulfill the obligations of Section 7 and 9 of the Endangered Species Act (see sections **C.2**). The Endangered Species Act requires NMFS to monitor and report on all levels of sea turtle interactions with commercial activities including but not limited to commercial fishing, dredging and dredge spoil dumping, and oil platform removal. NMFS categorizes all of these activities based on the human-caused level of serious injury or mortality of sea turtles.

The work required under this contract is to collect data needed to report levels of interactions with sea turtles and other protected species bycatch. Approximately 100% percent and 25% of the in situ burn and skimmer effort, respectively should be observed by month and area throughout the contracted period. The Wildlife Branch, Operations will work with the Contractor in determining which vessels should be selected, how data will be collected, edited, and submitted, and answer questions or deal with concerns of the BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill ("Unified Command"). Observers shall record scientific data on marine species, observe in situ burn and skimmer operations, and collect and return captured sea turtles according to protocols developed by Wildlife Branch, Operations.

1. Objectives

The primary goal of this Program is to report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources occurring during the course of in situ burn and skimmer operations (including alternative skimming technologies) in U.S. territorial seas in the Gulf of Mexico. Its main objectives are, in order of priority, to: 1) obtain reliable estimates of incidental serious injury and mortality of sea turtles; 2) where possible, remove and coordinate the collection and transport of live injured sea turtles as a result of contamination by oil or skimmer activities to appropriate rehabilitation facilities and 3) record data on other protected species bycatch and discard levels and aspects and procedures of the in situ burn and skimmer activities.

2. Scope of Work

The contractor shall furnish the necessary personnel, materials, services, facilities (unless otherwise specified in Task Orders), and otherwise do all tasks necessary to perform the work and services called for under this Scope of Work.

The contractor, as an independent contractor and not as an agent of the US Government or BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill shall furnish as may be required and ordered by BP America, Inc., services which include environmental, biological, and operations data collection. These activities shall be performed in accordance with the Statement of Work and selected Task Orders and shall be accomplished by contractor personnel in each of the following categories, having qualifications as represented by the

contractor in its proposal listed as follows:

Living Resource Sampling and Environmental Data Collection
- Acquire and provide information on in situ burn and skimmer operations and logistics for refinement of sampling design
- Conduct field sampling and data collection on in situ burn and skimmer operations, environmental conditions
- Report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources
-Collect live sea turtles safely and provide on vessel care until transport occurs
- Data quality control

Program Support Services
- Assist in the preparation of program specifications and designs
- Provide logistics and operational support for observer deployment
- Equipment operation and maintenance

3. Program Coordination
The contractor shall provide overall administrative and contractual support including insurance and liability coverage, and employ the mobile workforce of contracted observers, and other contracted personnel who will collect data and assist in activities required. The contractor shall be responsible for adherence to all federal, state, local, and site-specific safety regulations.

Sampling and data collection will be performed on a flexible work schedule depending on in situ burn and skimmer operations. Consequently, precise work hours or work dates cannot be determined in advance. Work schedules may involve shift or weekend periods.

Sampling will be conducted under a variety of weather and working conditions.

This contract requires 100% percent and 25% observer coverage of the in situ burn and skimmer effort, respectively for each region. However, this level may be modified by the Wildlife Operations/Marine Mammal/Sea Turtle unit accordingly prior to or during operations subject to program coverage needs and the vagaries of in situ burn and skimmer operations. Initial focus of observer coverage should be on those vessel or operations with the highest risk to sea turtles. In addition, the distribution of observers and port assignments may change during the course of this contract as time progresses. It is understood that factors such as weather, changes to in situ burn and skimmer operations, and other unforeseen circumstances may interfere with observer effort and is taken into consideration in program design and data analysis. The Contractor shall determine the number of observers needed per region to meet the initial target coverage rate. The Contractor shall maintain an accurate real time assessment of effort through coordination with the Unified Command for the Deepwater Horizon Oil Spill. Observers shall be resident in the area, either on land or on a staging vessel and travel to meet vessels to meet the coverage needs.

In general, during the in situ burn operations observers shall be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. Data forms will be filled out by the

observer that include information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey.

All attempts will be made to recover sea turtles. Sea turtles that cannot be captured due to safety or other reasons will be recorded. Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to transport the sea turtle back to land. Notification back to Wildlife Operations/Sea Turtle/Marine Mammal Unit will also be required. The Contractor in collaboration with the Wildlife Operations/Sea Turtle/Marine Mammal Unit may need to make further modifications to the data form and sampling procedures as more information is gathered

As of July 3, 2010, only an initial assessment of the risk to sea turtles and other protected species has been provided. The Contractor will need to make further observations and modify coverage and directives as more information is gathered. All skimmers have the potential to interact with live sea turtles through impingement and entrainment, and also interact with injured or dead wildlife. The following table ranks the relative risk of skimmers in determining observer coverage to monitor operations and recover sea turtles. Ideally, some data would be collected on all medium and high risk skimming operations. This assessment is based on the available information.

HIGH	MEDIUM	LOW
Big Gulps (offshore and near shore)	TMT A Whale	Dutch arm[f]
Mini-Gulps (passes)	Boom trawlers with floating weirs in heavy oil (offshore)[c]	Drum weirs
Ocean busters[a]	Boom trawlers with sorbents[e]	Disc weirs
Current busters	Belt/mechanical skimmers	Rope mops
Harbor busters		Floating weirs in light-medium oil
USCG floating weir[b]		
Fishing type trawl net boom[d]		

[a] The configuration of all busters is the same, the only difference is size (ocean>current>harbor).
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Experience required-- At least 3 years experience in managing such tasks is required.

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experience. All observers must meet the following standards:

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d. CPR. Observers must be CPR-trained and have a current certification prior to the training. It should be the observer's responsibility to ensure proper re-certification or renewal to maintain certification. A copy of the CPR card shall be provided to the Contractor by the observer.

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Behavior that is contrary to these standards or to the intent of these standards would be

considered grounds for disqualifying the offending observer or termination of any observer subcontract. Falsification of observer data is grounds for dismissal.

C.7. Estimated budget

Period of contract= 6 months

-Costs include all observer costs for up to 60 individuals (includes salary, travel, equipment, hotels, taxis, etc.)

-Program management includes 1 Program Manager, 4 Area Coordinators, 1 Data Manager and 1 Assistant Program Manager

-Office personnel includes 1 Administrative Assistant, 2 Data Entry persons and 1 gear person

Estimated Budget= $7,500,000

From: John Carlson <John.Carlson@noaa.gov>
Subject: **Re: Need info on observer program**
Date: July 5, 2010 12:09:01 PM CDT
To: Teresa Turk <teresa.turk@noaa.gov>

for now, hows this:

Observer programs are currently being developed to further collect data and evaluate the potential interactions of sea turtles with in situ burning of oil and skimmer activities in the Gulf of Mexico.

On Jul 5, 2010, at 10:24 AM, Teresa Turk wrote:

> Any general details you can provide would be helpful and I will place a caveat that this is the plan RIGHT NOW and remark that is changing daily/hourly.
>
> Teresa
>
> John Carlson wrote:
> > Hi Teresa
> >
> > I just spoke with Alexis about this and the observer program for the in situ burn and skimmer activities and its not really ready for prime time. This is such a moving target and things seem to change on a daily basis. We'll know more as we get more observations of the activities
> >
> > John
> > On Jul 5, 2010, at 9:20 AM, Teresa Turk wrote:
> >
> > > Hey Gang,
> > > I know you are super busy but I need some information from you all. Next week I am giving a presentation in Bogota on US fish observer programs AND they requested that I discuss Protected Species Observer Programs in the US and around the world (yikes!). I wanted to mention the latest developments in the GOM. Can you please just send me or call me if it is more convenient (206.713.2265) the details as you know them today. _I will need this information today or tomorrow (as I give the talk on Thursday and will be in flight most of Wednesday)._
> > >
> > > For example, how many observers will be deployed?
> > > Which vessels will they be on?
> > > What is the expected duration of the observations? LT, ST? Only activities involving skimming or burning?
> > > Who will conduct training, briefing, debriefing?
> > > Who will analyze and store the data?
> > >
> > > I realize you are just getting started but this new program highlights how important observers are in all sorts of activities.

> > > Thanks for your help,
> > > Teresa
> > >
> > > <Teresa_Turk.vcf>
> >
> > <Teresa_Turk.vcf>

From: John Carlson <John.Carlson@noaa.gov>
Subject: **MoveOn.org Political Action: BP is burning endangered sea turtles alive**
Date: July 6, 2010 5:32:32 PM CDT
To: Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>, Teri Rowles <Teri.Rowles@noaa.gov>, Luke Szymanski <Luke@aisobservers.com>

did you see this???

http://pol.moveon.org/seaturtles/?rc=fb.2

From: Teresa Turk <Teresa.Turk@noaa.gov>
Subject: **[Fwd: Observer SOW through MSA]**
Date: September 2, 2010 10:33:14 AM CDT
To: John Carlson <John.Carlson@noaa.gov>
▶ 3 Attachments, 50.4 KB

FYI if you need to go through the MSA between BP and AIS

Teresa

From: Teresa Turk <Teresa.Turk@Noaa.gov>
Date: August 30, 2010 3:17:50 PM CDT
To: Nicole Le Boeuf <Nicole.Leboeuf@noaa.gov>
Cc: Chris Rilling <Chris.Rilling@noaa.gov>, Teri Rowles <Teri.Rowles@noaa.gov>, Sarah Wilkin <Sarah.Wilkin@noaa.gov>, Alexis Gutierrez <Alexis.Gutierrez@noaa.gov>, William Michaels <William.Michaels@noaa.gov>, Ralph Lopez <Ralph.Lopez@noaa.gov>, Rick Brown <Rick.Brown@noaa.gov>, Lisa DesFosse <Lisa.Desfosse@noaa.gov>
Subject: **Observer SOW through MSA**

HI All,
Attached is the statement of work from the BP-AIS observer contract. As we discussed, increasing the amount of funds to be used toward observer procurement in the PRFA is the recommended solution to this situation. However if increasing the PRFA amount is not possible, then you may want to consider modifying the existing master service agreement (MSA) between BP and AIS if you can obtain approval from BP to do so. The agreement is for over $6,000,000 for up to 60 observers. An initial 20 observers were authorized for deployment with roughly $170,000 spent to date. Therefore there is quite a bit of room on this MSA to cover additional observers if approved by BP. However someone will need to also obtain authorization to lift the 20 observer cap to allow for an increased number of observers and greater flexibility.

If BP agrees to the modification, someone will need to work with Richard Lewis (lewis.richard@bp.com) or David Dawley (david.dawley@bp.com) to have Michael Steinberg (michael.steinberg@bp.com) modify the statement of work. The financial portion should remain the same. Someone will also needs to contact AIS immediately and let them know that they will need to provide observers for this project.

Suggested language for modifying the SOW is as follows:
Page 1, para "Objectives"

Add a new paragraph to the section.
Observers may be also used to coordinate, process, transport and any other activities identified in the Enhancing Seafood Surveillance and Safety scope of work (or whatever the final document is titled)

page 1, para "Scope of Work"
Under Living Resource Sampling and Environmental Data Collection, add

a bullet
-Collect, process, and transport samples as described in the Enhancing Seafood Surveillance and Safety" scope of work.

Let me know if you need anything else,
Teresa

BP observer ....pdf (49.8 KB)Teresa Turk.vcf (0.3 KB)

Teresa Turk.vcf (0.3 KB)

STATEMENT OF WORK

C.1. Suggested Contractor

A.I.S., Inc
89 North Water Street
New Bedford, MA 02740
774-265-0596
www.aisobservers.com

C.2. Project title

Observer coverage of skimmer (including alternative technologies) and in situ burn vessel units associated with oil removal in the Deep Water Horizon oil spill

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This solicitation is for the procurement by British Petroleum of "Contractor" to furnish the necessary personnel, material, equipment, services and facilities (except as otherwise specified) to perform the following the Statement of Work/Specifications (see sections **C.6** and **C.7**.). Extensions to this completion date (e.g., due to prolonged periods of inclement weather) may be requested by the Contractor but must be approved by British Petroleum.

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C.6. Description of work

The National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service requires the recruitment, selection, supervision, and outfitting of observers to fulfill the obligations of Section 7 and 9 of the Endangered Species Act (see sections **C.2**). The Endangered Species Act requires NMFS to monitor and report on all levels of sea turtle and other protected species interactions with commercial activities including but not limited to commercial fishing, dredging and dredge spoil dumping, and oil platform removal.

The work required under this contract is to collect data needed to report levels of interactions with sea turtles and other protected species bycatch. Approximately 100% percent for in-situ burn and 25% of the skimmer effort, respectively should be observed by month and area throughout the contracted period. The Wildlife Branch, Operations will work with the Contractor in determining which vessels should be selected, how data will be collected, edited, and submitted, and answer questions or deal with concerns of the BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill ("Unified Command"). Observers shall record scientific data on marine species, observe in situ burn and skimmer operations, and collect and return captured sea turtles according to protocols developed by Wildlife Branch, Operations.

1. Objectives

The primary goal of this Program is to report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources occurring during the course of in situ burn and skimmer operations (including alternative skimming technologies) in U.S. territorial seas in the Gulf of Mexico. Its main objectives are, in order of priority, to: 1) obtain reliable estimates of incidental serious injury and mortality of sea turtles and other protected species; 2) where possible, remove and coordinate the collection and transport of live injured sea turtles as a result of contamination by oil or skimmer activities to appropriate rehabilitation facilities and 3) record data on other protected species bycatch and discard levels and aspects and procedures of the in situ burn and skimmer activities.

2. Scope of Work

The contractor shall furnish the necessary personnel, materials, services, facilities (unless otherwise specified in Task Orders), and otherwise do all tasks necessary to perform the work and services called for under this Scope of Work.

The contractor, as an independent contractor and not as an agent of the US Government or BP America, Inc. and the Unified Command for the Deepwater Horizon Oil Spill shall furnish as may be required and ordered by BP America, Inc., services which include environmental, biological, and operations data collection. These activities shall be performed in accordance with the Statement of Work and selected Task Orders and shall be accomplished by contractor personnel in each of the following categories, having qualifications as represented by the contractor in its proposal listed as follows:

Living Resource Sampling and Environmental Data Collection

- Acquire and provide information on in situ burn and skimmer operations and logistics for refinement of sampling design
- Conduct field sampling and data collection on in situ burn and skimmer operations, environmental conditions
- Report on the number, condition, and nature of incidental injury and mortality to sea turtles and other protected resources
- Collect live sea turtles safely and provide on vessel care until transport occurs
- Data quality control

Program Support Services

- Assist in the preparation of program specifications and designs
- Provide logistics and operational support for observer deployment
- Equipment operation and maintenance

3. Program Coordination

The contractor shall provide overall administrative and contractual support including insurance and liability coverage, and employ the mobile workforce of contracted observers, and other contracted personnel who will collect data and assist in activities required. The contractor shall be responsible for adherence to all federal, state, local, and site-specific safety regulations.

Sampling and data collection will be performed on a flexible work schedule depending on in situ burn and skimmer operations. Consequently, precise work hours or work dates cannot be determined in advance. Work schedules may involve shift or weekend periods.

Sampling will be conducted under a variety of weather and working conditions.

This contract requires 100% percent for in-situ burns and 25% observer coverage for skimmer effort, respectively for each region. However, this level may be modified by the Wildlife Operations/Marine Mammal/Sea Turtle unit accordingly prior to or during operations subject to program coverage needs and the vagaries of in situ burn and skimmer operations. Initial focus of observer coverage should be on those vessel or operations with the highest risk to sea turtles. In addition, the distribution of observers and port assignments may change during the course of this contract as time progresses. It is understood that factors such as weather, changes to in situ burn and skimmer operations, and other unforeseen circumstances may interfere with observer effort and is taken into consideration in program design and data analysis. The Contractor shall determine the number of observers needed per region to meet the initial target coverage rate. The Contractor shall maintain an accurate real time assessment of effort through coordination with the Unified Command for the Deepwater Horizon Oil Spill. Observers shall be resident in the area, either on land or on a staging vessel and travel to meet vessels to meet the coverage needs.

In general, during the in situ burn operations observers shall be stationed on the ignition boat and conduct the survey from a position that optimizes visibility. Data forms will be filled out by the

observer that include information on the time survey begins, location, sea state, a general description of the oil and habitat, and unique information to track the survey data.

A sea turtle survey includes monitoring of 3 areas prior to the burn including; the area in front of the trawlers, oil concentrated in the boom, and any oil trailing behind the boom. As part of the survey, observers will note the type of oil encountered during the survey, the type of habitat (e.g. sea weed or other aquatic vegetation) encountered during the survey.

All attempts will be made to recover sea turtles. Sea turtles that cannot be captured due to safety or other reasons will be recorded. Sea turtles encountered during the survey that can be removed from the oil will be captured with a dip net. The sea turtle will be boarded and the observer will provide a cursory assessment of its status. Data relative to condition, location, and survey phase will be recorded. Sea turtles will be placed in a confined area and covered with a wet towel to minimize stress if the animal is alive. The sea turtle will be transported to the support vessel and the observer will notify the support vessel to transport the sea turtle back to land. Notification back to Wildlife Operations/Sea Turtle/Marine Mammal Unit will also be required. The Contractor in collaboration with the Wildlife Operations/Sea Turtle/Marine Mammal Unit may need to make further modifications to the data form and sampling procedures as more information is gathered

An initial assessment of the risk to sea turtles and other protected species has been provided. This risk assessment is based on current information provided to the Wildlife Operations. This assessment will be refined as observers are deployed to conduct preliminary assessments on the various on-water activities. The Contractor will need to make further observations and modify coverage and directives as more information is gathered. All skimmers have the potential to interact with live sea turtles through impingement and entrainment, and also interact with injured or dead wildlife. The following table ranks the relative risk of skimmers in determining observer coverage to monitor operations and recover sea turtles. Ideally, some data would be collected on all medium and high risk skimming operations. This assessment is based on the available information.

HIGH	MEDIUM	LOW
Big Gulps (offshore and near shore)	TMT A Whale	Dutch arm[f]
Mini-Gulps (passes)	Boom trawlers with floating weirs in heavy oil (offshore)[c]	Drum weirs
Ocean busters[a]	Boom trawlers with sorbents[e]	Disc weirs
Current busters	Belt/mechanical skimmers	Rope mops
Harbor busters		Floating weirs in light-medium oil
USCG floating weir[b]		
Fishing type trawl net boom[d]		

[a] The configuration of all busters is the same, the only difference is size (ocean>current>harbor).
[b] Enclosed net configuration with similar concerns to the busters.
[c]The greatest risk is to juvenile (smaller) sea turtles. The greatest potential risk to turtles from skimmers is becoming entrapped in the boom and funneled toward the weir.

[d]May not be is use.
[e]The ration of boom (above) to skirt (below) is about 1/3 above water to 2/3 below water. The skirt length ranges between 12 in to about 3 ft. Longer skirts pose greater risks than smaller skirts and could entrap floating or debilitated sea turtles.
[f]Are reported to have debris exclusion devices installed that would also protect sea turtles. Needs to be verified once the arms arrive on scene.

4. Places of Delivery/Performance
The contractor shall perform tasks under the contract in Gulf of Mexico ports and aboard vessels or at set net sites, dependent on the in situ burn and skimmer operations, or as appropriate, at the contractor's facilities.

The following is a representative listing of probable observer operation locations:
1) Houma, Louisiana
2) Mobile, Alabama
3) Venice, Louisiana
4) Port Fourchon, Louisiana

5. Description of Labor
The following direct labor categories are required to perform the anticipated contract. All categories are described in a generic manner; however, each category is required to have background, experience, and education.

Observer Coordinator--Task coordinator shall have experience in the scientific environment with emphasis on observer management and deployment, which will be required in each specific Task Order. Specific duties are organizing and controlling the contracted service, managing and directing subordinates and subcontracted observers, reporting to the contract technical management and controlling the tasks' administrative, personnel, and operations activities.

Experience required-- At least 3 years experience in managing such tasks is required.

Education required--A Bachelor's degree or higher related to the requirements of the specific Task Order is required.

Fishery Observers--Collects data as required in the performance of the contract. Definitions and levels are defined by the Department of Labor. See Section C.2.6.a. below for required observer experience and education.

Fishery Observer--Independently executes duties, resolving exceptions and special problems or to make adaptations in the procedures. Collects observational, environmental, and biological data according to detailed procedures. According to established standards and detailed procedures, records data on appropriate paper or electronic forms and logs. Maintains field equipment and supplies. May enter and transfer data electronically.

6. Observer qualifications, responsibilities, and duties
At a minimum, 75% of the observer workforce shall have a Bachelor's degree in the natural

sciences. Individuals that do not meet degree requirement shall be evaluated based upon observing experience, academic standing, personality attributes, physical fitness, and overall experience. All observers must meet the following standards:

a. Academic background and experience. Candidates must have a Bachelor's or higher degree in the biological sciences from an accredited college or university with a minimum of 30 semester hours in applicable biological sciences, and at least one undergraduate course in math, statistics, or computer science OR 3 years experience as skipper or first mate.

b. Personality attributes. The mental and emotional demands on observers are rigorous. Candidates shall be mature and capable of working independently without direct supervision under stressful conditions. They shall be self-motivated, possess good judgment, and be able to work and live in close quarters with other individuals in a professional and respectful manner.

c. Good physical condition. All observers must have passed a complete physical examination within the 6 months prior to deployment.

d. CPR. Observers must be CPR-trained and have a current certification prior to the training. It should be the observer's responsibility to ensure proper re-certification or renewal to maintain certification. A copy of the CPR card shall be provided to the Contractor by the observer.

f. Background Checks. Criminal background checks will be performed for each observer. The COTR will review the results on a case-by-case basis and retains the right to deny accepting a candidate based on the information provided.

g. Observer Training. All observers must successfully complete the training course.

h. Standards of Conduct for Observers. The observer must avoid any behavior that could adversely affect the confidence of the public in the integrity of the Observer Program. Observers shall conduct themselves in a manner that will reflect favorably upon the Observer Program by maintaining high standards of honesty, integrity, impartiality, and conduct in all situations. Observers:

(1) Must diligently perform their assigned duties;
(2) Must accurately record their sampling data, write complete reports, and report honestly;
(3) Must protect the confidentiality of all collected data and observations made on board vessels. Observers shall not use any data collected under this contract for purposes other than the performance of this contract nor shall observers retain, release, reproduce, distribute, or publish any of the data without prior approval;
(4) Must refrain from engaging in any illegal actions or any other activities that would reflect negatively on their own or others' image(s) as professional observers or on the Observer Program as a whole. This would include, but is not limited to:
(a) Engaging in excessive drinking of alcoholic beverages;
(b) Engaging in the use or distribution of illegal drugs;
(d) Engaging in criminal, dishonest, disrespectful, or disgraceful conduct that may be perceived as prejudicial to the Government.

Behavior that is contrary to these standards or to the intent of these standards would be considered grounds for disqualifying the offending observer or termination of any observer subcontract. Falsification of observer data is grounds for dismissal.

C.7. Estimated budget

Period of contract up to 6 months

- Costs include all observer costs for up to 60 individuals (includes salary, travel, equipment, hotels, taxis, etc.)
- Program management includes 1 Program Manager, 4 Area Coordinators, 1 Data Manager and 1 Assistant Program Manager
- Office personnel includes 1 Administrative Assistant, 2 Data Entry persons and 1 gear person

Estimated Budget= $6,026,940.47